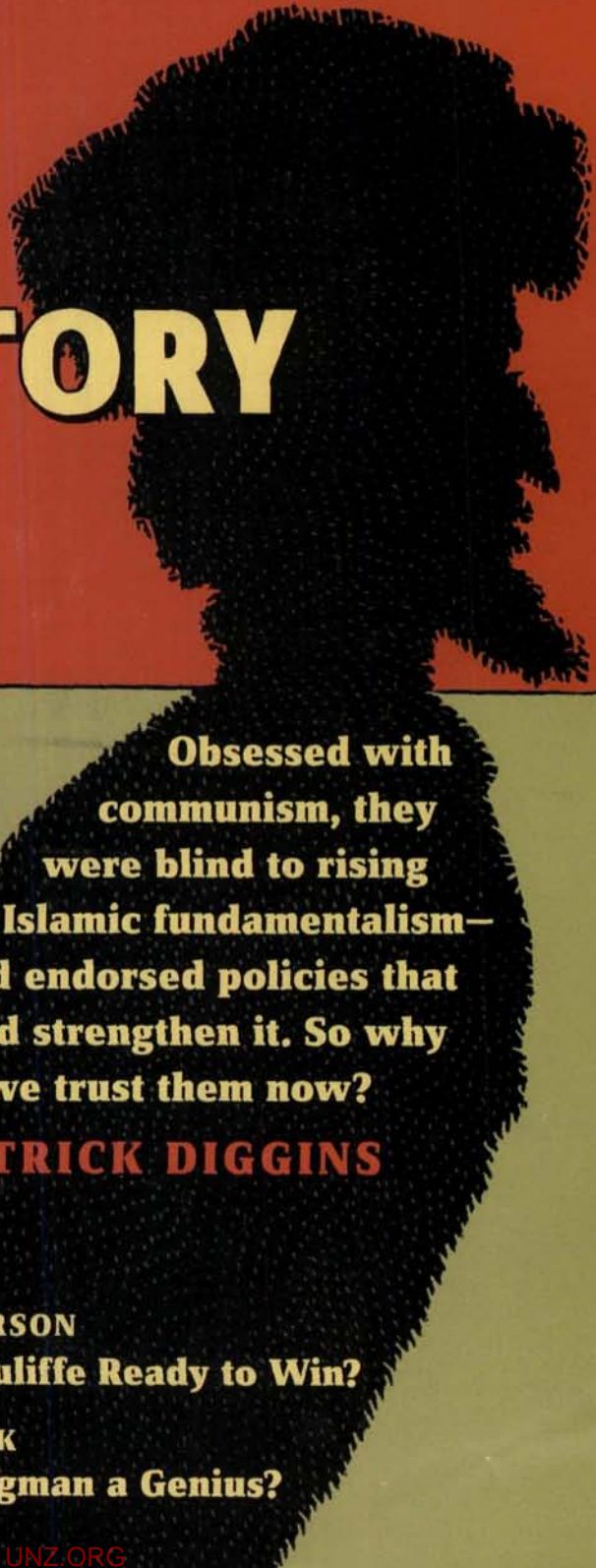


SPECIAL REPORT: REHABILITATING CRIMINAL JUSTICE

THE AMERICAN PROSPECT

DECEMBER 2003 WWW.PROSPECT.ORG

THE NEOCONS' DARK HISTORY



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communism, they
were blind to rising
Islamic fundamentalism—
and endorsed policies that
helped strengthen it. So why
should we trust them now?

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"I will be defined by one race," McAuliffe says. 'Do we beat George W. Bush or not? That's what I'll be judged by.'" PAGE 28

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The President's New Crusade

On Nov. 6, George W. Bush claimed the legacy of Woodrow Wilson, Franklin Roosevelt and Ronald Reagan in a speech setting out a "forward strategy" to extend freedom and democracy to the Islamic nations of the Middle East. Liberty, the

president said, is the "plan of heaven for humanity," which seemed to imply, in an echo from centuries past, that our form of government is divinely inspired. He also called liberty "the design of nature," "the direction of history" and the "best hope for progress," arguing that it is America's "calling"—our Manifest Destiny, so to speak—to advance freedom in the rest of the world.

The speech had many fine words and noble ideas. "Sixty years of Western nations excusing and accommodating the lack of freedom in the Middle East did nothing to make us safe," the president said, "because in the long run, stability cannot be purchased at the expense of liberty."

But though some of Bush's sentiments were admirable, we need to put his speech in context and examine his historical and political claims more closely.

The Iraq War began with two justifications. One was protecting America's security; the other, bringing democracy to Iraq. With the failure to find weapons of mass destruction or connections between Saddam Hussein and al-Qaeda, the security rationale has grown increasingly doubtful. Unable to substantiate the claims about Iraq that his administration originally put before the world, the president has elevated the democratic rationale in a defensive, rhetorical escalation.

The sequence of Bush's positions raises doubts about how seriously we ought to take his new principles. As a presidential candidate, he disparaged nation building, deplored the use of the military as peacekeepers and attacked interventions based on human rights on the grounds that national security should be our overriding concern in foreign affairs. Some might say of his turnabout, "Better late than never—what's wrong with his conversion to Wilsonian idealism?"

What's wrong is partly his distortion of the tradition he claims to inherit. Wilson and Roosevelt were vitally interested in creating institutions to maintain a framework of international law and security. But it is just this framework that Bush has rejected by insisting on the need for the United States to act alone, not just in defending itself but apparently in extending democracy as well.

International institutions are the means, albeit imperfect ones, of upholding democratic principles in the international arena. To say that America will spread democracy unilaterally—and by force, if necessary, as in Iraq—is to undermine the larger framework that democracies need. Establishing democracy by unilateral force is even a step beyond preemptive or preventive war. It is war by American prerogative.

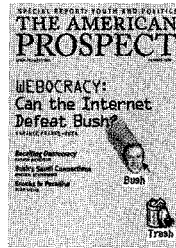
Certainly the United States and its allies ought to promote democracy. When the president spoke of "Western nations excusing and accommodating the lack of freedom" in the Mideast, he was being unduly modest about the West's contribution. Western countries helped to create undemocratic governments in the region and for years propped them up. If democracy is now our goal, there is a step short of war we can take: We can stop supporting undemocratic regimes.

But there is, of course, a risk in such a policy that the president fails to acknowledge. More democratic Arab governments would not necessarily be pro-American.

According to public-opinion surveys, the policies Bush has pursued have drawn overwhelming popular opposition in Arab countries, as in other parts of the world. If Arab governments were more representative, they would be even more likely to condemn America's efforts to throw its weight around the region. So widespread is the hostility to America that even Western-oriented Arab liberals responded warily to Bush's speech for fear of being labeled American stooges.

In foreign policy there is a place for idealism, but not for illusions. To judge from his Nov. 6 speech, Bush lives in a blissful state where the "plan of heaven," the design of nature, the tides of history and the forces of progress are perfectly aligned. All favor democracy and liberty as well as American interests and policies, the very policies that the president himself is promoting. It is a magical vision, and perhaps Bush sincerely believes it. But for a great power, it is a dangerous fantasy that could isolate us from our friends, sacrifice the true basis of our security and plunge us into new wars.

—PAUL STARR



"[The Bush] administration's decisions have brought the wrath of the world upon us, stoked the fires of our enemies and guaranteed new violence for years to come."

—CARL MATTIOLI, Newtonville, MA

Correspondence

Deaniacs React

GARANCE FRANKE-RUTA absolutely nailed the philosophical underpinning of the Howard Dean campaign in her stellar piece "Shock of the Old" [November 2003]. It was particularly revealing for me, a displaced New Englander, to realize that the political and social environment in which I grew up may actually represent something valuable to the rest of the nation in these troubling times. It is now easier for me to place Dr. Dean in the tradition of Henry David Thoreau, Ralph Waldo Emerson and even Nathaniel Hawthorne.

We Deaniacs are quick to defend our candidate against attack, but we also appreciate well-reasoned, well-written critiques of our campaign.

MARC MONTEFUSCO
Middletown, MD

GARANCE FRANKE-RUTA continues to inspire with her article "Shock of the Old" [November], which examines the core reasons for Howard Dean's appeal.

As a Dean supporter myself, I have found it hard to put the dynamic into words, but Franke-Ruta's article brings into focus the feeling of camaraderie with the Founding Fathers. Although we gather at Meetups rather than taverns or tearooms and have faster forms of communication than those that ex-

isted in 1776, we talk about a lot of the same concepts, and I think we share a sense of responsibility for what happens to this country.

Several centuries ago, a few philosophers decided the fate of this nation; now, many thousands of their philosophical descendants, through the Dean campaign's technology, feel a sense of empowerment, and we believe that the actions we take will make a difference.

Throw in the fact that the campaign brings people together in a sense of community, purpose and just plain fun, and you have, as Franke-Ruta explains, not a religion or a cult of followers but a movement based on hopefulness and action. Thank you for an article that, as we Deaniacs say, "gets it."

NANCY MANDOWA
Via e-mail

This Guy Really Hates Bush

NOTHING COULD BE TRUER than the headline of Robert Kuttner's latest editorial ["A Foreign-Policy Emergency," November]. There is no question that catastrophic mistakes have been made in Washington, or that Iraq is a complete failure. It is an inescapable fact that this administration has it all wrong, and is leading us down a very dangerous road.

The Bush doctrine and its tenets of unilateralism, mil-

itarism, preemption and forced democratization are a complete foreign-policy disaster, by any standards. We are not safer but more vulnerable. We have not built alliances but destroyed them wholesale, and no country's economy has been stimulated or revitalized, least of all our own.

This administration's decisions have brought the wrath of the world upon us, stoked the fires of our enemies and guaranteed new violence for years to come. Enlightened minds worldwide must see to it that this irresponsibility, lawlessness and arrogance is truly laid to rest, and that one of the leading democracies in the world, as well as its leader, begins to once again act the part.

CARL MATTIOLI
Newtonville, MA

Like Bobby Did

I WAS DELIGHTED TO READ Jason Vest's "Red State Army" [November] and his observations on Wesley Clark's underreported visit to DePauw University. I traveled from California to Indiana for the occasion, and was present at the student question-and-answer session that Vest describes so aptly. The speech in the gym was impressive, but I thought that the private session with the students showed Clark at his finest, answering tough questions at length and with

a particularly earnest respect for his audience.

I found his reference to the prodigal son especially moving and real—the most touching, and convincing, answer I've heard to the myriad questions about his party affiliation. Perhaps it is too personal for wider public consumption, but I do wish he would bring it to other audiences.

Clark's DePauw interaction reminded me of another student Q-and-A I've seen recently, an old black-and-white video of Bobby Kennedy talking to a group at Columbia University during his 1964 Senate race. The students' first few questions were aggressive, Kennedy was stiff and unsure, and his responses were "canned." Then one young man asked a question about education, and Kennedy suddenly transformed. In his lengthy, cogent, fluent response, he revealed the Bobby Kennedy we remember, the one who electrified much of the nation later, during the 1968 nominating campaign.

One can make the case that today's media environment is different from that which confronted Kennedy in 1964, and that prepared responses are the only way to make key points. Yet we see that as Wesley Clark hits his stride and finds his political sea legs, he is able to galvanize us, as Bobby Kennedy did, with a rare combination

of intellectual force and spontaneous goodwill.

ELLEN DANA NAGLER
Santa Barbara for Clark
Santa Barbara, CA

W.'s Captured Bishops

AS A "CORE" CATHOLIC, I agree with Sarah Wildman's article "Bullies in the Pulpit" [October] that heavy-handed Catholic rhetoric against abortion-rights Catholic politicians has the potential to backfire. Any Catholic politician remains fully within his or her faith when stating that he or she is "personally opposed to abortion but politically supportive." This recognizes that if abortion were outlawed in the United States, there would be public unrest and a return to back-alley procedures.

The U.S. Catholic bishops can continue to promulgate questionable "absolutes," but labeling Catholic politicians as "pro-choice" is cruel, misleading, uncharitable and single-issue politics. I must add that, in many cases, these "pro-choice" Democrats are courageously challenging the injustices in American society that Catholicism seeks to address. To my way of thinking, any U.S. Catholic bishop who helped put George W. Bush in office should be excommunicated.

STEPHEN V. RILEY
Sarasota, FL

Grade A's

IN HIS DISCUSSION OF Michael Lewis' *Moneyball* ["The American Game," October], Andrew Zimbalist has whiffed, badly. The significant positive changes brought about by the management of the Oakland A's have been surpassed only by those of the Brooklyn Dodgers' front office in the 1940s, which brought up Jackie Robinson, breaking the color barrier.

The changes brought about by the A's are already being copied in Toronto and Boston, albeit with bigger budgets. Many more inexpensive, diamond-in-the-rough ballplayers will allow low- and mid-budget teams to compete with the New York Yankees and their big-market cohorts. As more teams compete, attendance will climb. We saw this phenomenon this fall as fans flocked to see new faces in the playoffs instead of the usual suspects. A larger talent pool and more affordable competition might rescue Major League Baseball almost as dramatically as integration. Or not. Time will tell.

JERRY FRANKEL
Plano, TX

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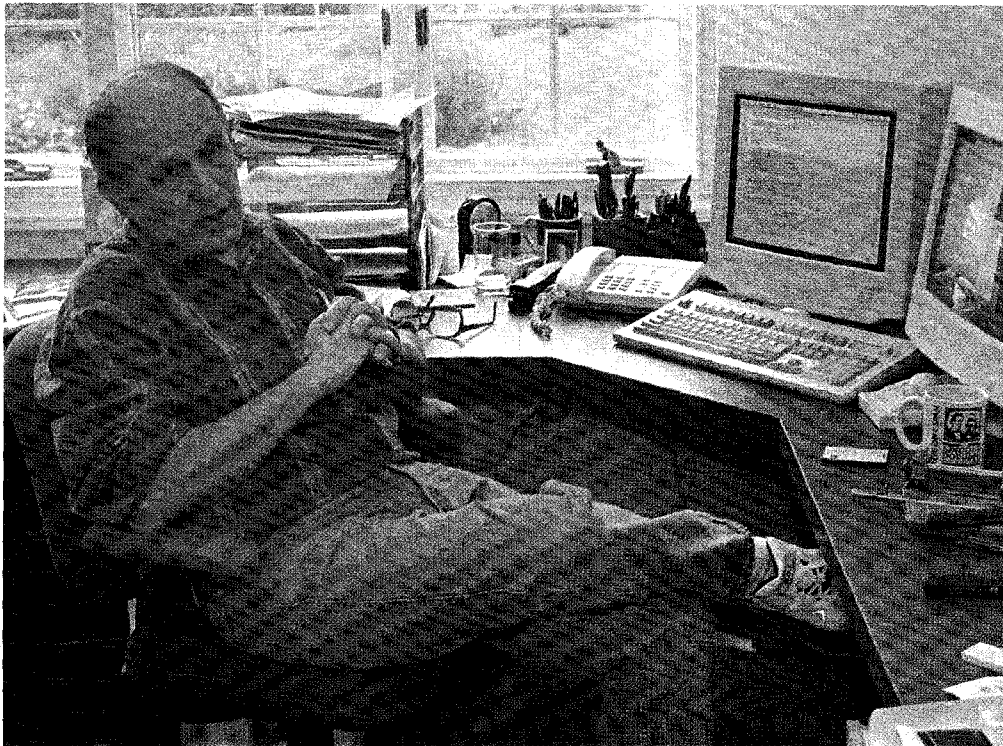
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Devil in the



Call Me Whitey: Charles Murray, of *Bell Curve* fame, now argues that the West is responsible for 97 percent of human progress.

Murray: Whites Win!

WHEN IT COMES TO Charles Murray, no news is good news. Which is the best we can say about the spotlight-monger's new book, *Human Accomplishment: The Pursuit of Excellence in the Arts and Sciences, 800 B.C. to 1950*.

Trackers of the libertarian social scientist will remember the brouhahas he caused with *Losing Ground* and *The Bell Curve* (written with Richard Herrnstein). The first argued that the so-

cial programs of the 1960s and 1970s contributed to the plight of the poor and minority Americans they were supposed to help. The second laid out IQ data that, at their most incendiary, seemed to show that whites in America are genetically smarter than blacks and therefore more successful.

Human Accomplishment takes that one step further, expanding Murray's musings on hierarchies of accomplishment to the entire his-

tory of human civilization.

This book sets out to prove mathematically that, as the author writes in his introduction, "The dimensions and content of human accomplishment can be apprehended as facts. It is more than a matter of opinion that Rembrandt was a greater artist than, say, Edward Hopper, or Dante a greater poet than Carl Sandburg."

Simplistic? It gets worse. Using a measure called "historiometry" (which es-

entially measures the number of references to great people and discoveries in relatively neutral texts), Murray offers what he claims is objective evidence that in the history of human progress, the most credit—about 97 percent, in fact—is owed to ... the West, much of that thanks to Christianity.

Surprise? Not really. Despite his claims of objectivity and science, and despite his claims of openness to other—particularly Asian—cultures, Murray knew well in advance what his results would be. In 1998, before he even started writing the book, he told an audience at the American Enterprise Institute, the conservative think tank that employs him, that he was certain his work would run "headlong into the post-modern orthodoxy."

So far, it doesn't seem like Murray's newest effort is kicking off another round of academic culture wars. *The Wall Street Journal* tried to go easy on the book, but even its reviewer opened by calling it "tiresome." Murray himself admits the response to this book has been "much kinder and gentler." He suggests that this is because the book is too new to have been widely read. It may be however, that unlike *Losing Ground* and *The Bell Curve*, which had serious

Details

"Never said that. Never did."

—DONALD RUMSFELD, disputing a reporter's contention that he had said Americans would be welcomed by Iraqis as liberators (which he did say, on the Feb. 20 *NewsHour With Jim Lehrer*).

policy implications if their dubious methodologies proved correct, this one is just plain silly.

—SARAH BLUSTAIN

Grassy Knoll, Chapter 847

NOV. 22 MARKS THE 40TH anniversary of President John F. Kennedy's tragic assassination in Dallas. Don't worry about marking your calendars, though; the networks are flooding the sweeps month with special after special exploiting the defining moment of an entire generation.

Most notable among these shows is a two-hour report set to air Nov. 20 on ABC. *Peter Jennings Reporting: The Kennedy Assassination—Beyond Conspiracy* stops the presses with the bold conclusion that the Warren Commission had it right after all: Lee Harvey Oswald was the lone gunman. ABC conducted a thorough investigation that included a computer-generated reconstruction of the shooting along with more traditional interviews of key players.

You would think that the mountains of books that have been written on the subject would be sufficient to answer our questions. But television and cinema apparently have more cre-

dence with the American public than the written word. Still, ABC is unlikely to reign as the ultimate authority. With recent polls showing that less than half of America agrees with the Warren Commission, Oswald himself would have to rise from the grave to set the public straight.

Regardless, Oliver Stone has got to be kicking himself over the turn of events that led to this rebuttal to his monumental 1991 conspiracy-fueled film, *JFK*. Stone's movie created such a hullabaloo that 4 million documents, including previously unearthed Warren Commission reports, have been released since *JFK* hit theaters. Now, ABC is using the fruits of Stone's controversy to prove him wrong.

We know where Oliver Stone, ABC and the American public stand on this issue. So maybe the last word should go to Mort Sahl, one of the country's leading comedians at the time and an outspoken Warren Commission critic. Sahl, at the wise age of 76, offered this defining verdict: The conspiracy theory has "been proved too true, too many times." As for ABC, Sahl "can't believe they are going to fluff it off again," citing any support for the Warren Commission as "almost at the level of profanity now."

—THOMAS LANG

Europe Can Change a Man

IF, AT THE BOSTON "AMERICA Rocks the Vote" debate on Nov. 4, retired Gen. Wesley K. Clark looked a bit like Dieter from *Saturday Night Live's* "Sprockets" in his quasi-

existential all-black ensemble, it may have been because the former supreme allied commander of Europe spent many of the last 34 years living and conducting diplomacy among Continentals prone to such fits of style.

More than any other can-

WHILE YOU WERE SLEEPING

Those of a certain age, as they say, will recall that one of the sights of the Vietnam War that did in both Lyndon Johnson and Richard Nixon was the image on the nightly news of the deceased American soldier's body, in a flag-draped coffin, being wheeled out of the belly of a cargo plane and onto the tarmac of the Air Force base in Dover, Del., whose grim duty has often been to act as the receiving station for the military's fallen.

At this point you might be thinking: Funny, I haven't seen any such images during this war. Actually, it isn't funny. But it is true.



You won't be seeing this.

And you won't be seeing any, either. The Bush administration quietly banned television cameras from Dover, the better to ensure that, of the 360 (as of press time) American casualties in Iraq, not one has hit visually close to home.

There's more. You could scan the national newspapers until you're blue around the gills but be hard-pressed indeed to find a quote from a major administration official acknowledging a particular death of a U.S. soldier. President Bush himself has not attended one funeral, nor will he.

Finally, in the face of all this, they've fixed it so that you can't even accuse the Bushies of trying to hide the "body bags" from public view. That's because they're no longer "body bags." During the Gulf War, they were rechristened—far too honestly, by this administration's lights—"human remains pouches." Now they're called "transfer tubes."

Bush, Dick Cheney and many of the other higher-ups in this administration apparently feel about military death the way they felt about military service: It's fine in the abstract.



BRAVE NEW WORDS

SOCIALIST REVOLUTION A term used by conservative federal appellate nominee Janice Rogers Brown to describe FDR's New Deal.

PROGRESS According to the president, casualties in Iraq are a sign of it. We'll know things are really going badly when the attacks stop.

CULTURE OF LIFE Orig. Catholic, meaning pro-life and anti-death penalty. Now Republican, meaning pro-death penalty (that's death—not life—penalty) and against abortion.

didate running, Clark is a true internationalist—and he hasn't been afraid to show it on the campaign trail. "I like French wine," he told young professionals at a New York fund raiser in September. "I like European cuisine."

But the most interesting part of Clark's European sojourn isn't just how it convinced him of the need for a multilateralist foreign policy; it's the effect his years in Europe have had on how he sees American society, up close and per-

sonal on the campaign trail.

In the late '90s, Clark lived in the 19th-century Chateau Gendebien in Mons, Belgium. "It was a magnificent Flemish-style chateau," he wrote in *Waging Modern War*, "set on twenty-three acres with a wide lawn, circular drive, several two-hundred-year-old trees, three greenhouses, five gardeners, a tennis court and newly renovated interior fixtures. The accessories of the office matched the scale of the house. AS SACEUR, I

would have my own aircraft ... two Blackhawk UH60 helicopters ... two armored Mercedes staff cars."

Leaving this carefully manicured world and the highly regulated military for the private sector, Clark was thrust into contact with the reality of life in America for the first time since he was in his early 20s. And, say his aides, he's been shocked and upset by what he's seen. "He goes swimming every morning at the Y," one aide recalls, "and he met this woman at the pool in Manchester [N.H.] who worked two or three jobs, 80 hours a week." Afterward, says the aide, Clark "was furious for two or three days" and kept talking about it, saying, "No one should have to work that hard. In Europe, no one has to work that hard." We're *positive* that the gardeners at Chateau Gendebien would agree.

—GARANCE FRANKE-RUTA

Oops, He Forgot

CITIZENS OF MISSISSIPPI, meet Haley Barbour, your new governor. He has been a tireless advocate in Washington for such underdogs as Phillip Morris, Lockheed-Martin and Microsoft, and now he's just jumpin' at the chance to serve you, too.

A founding partner of one of the nation's most powerful lobbying firms and former Republican National Committee chairman, Barbour raised \$10.6 million and had the benefit of countless campaign appearances by the Republican glitterati on his behalf. In fact, he has such close ties to the White House that President Bush described him as "a fellow that when he picks up the phone, the president might just go ahead and answer it."

But Barbour's campaign against Democratic Gov. Ronnie Musgrove reeked of sleazy race-baiting and dirty politicking. Like Georgia Gov. Sunny Perdue before him, Barbour courted the "NASCAR whites" by making the state flag—and its explicit Confederate symbolism—a central issue. Barbour wore a state flag pin on his lapel throughout the campaign, and during the last weeks of the race, signs emerged around the state that read, "Keep the flag. Change the governor."

Linking Musgrove to black voters, Barbour referred to his opponent's campaign as the "Musgrove-Blackmon ticket" throughout the race. Barbara Blackmon, an African American woman, was the Democratic nominee for the lieutenant governorship. But in Mississippi, candidates for governor and



lieutenant governor run separate races, so Blackmon was running completely independently of Musgrove. Early on, Blackmon confronted Barbour and asked him to quit referring to her, as they were not competitors. Barbour apologized, and he agreed to stop. But he never did. He now promises to run a "bipartisan, biracial" administration. Maybe now the segregationist Council of Conservative Citizens will take him off its Web site.

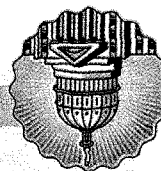
—AYELISH MCGARVEY

Roadwork on Memory Lane

EVERYONE FROM SEAN Hannity to Barbra Streisand knows that right-wingers killed *The Reagans*. The controversial CBS miniseries, a semi-fictionalized portrait



HEROES & ZEROES



CHRIS MATTHEWS

(You read that right!) Tells Brown students that case for war was "nonsense" and Dick Cheney's power in administration is "scary"

CONRAD BLACK

Conservative media magnate defends FDR, New Deal on *Wall Street Journal* editorial page.

LES MOONVES

CBS prez bows to GOP, pulls Reagan miniseries. Next up: The Ralph Reed Christmas Extravaganza

ZELL MILLER

Endorses Bush, becomes *Washington Times*' cover boy. Go home, son.

of the 40th presidency, was originally slated to air in mid-November, but Republican outrage at the less-than-flattering script quickly relegated *The Reagans* to a Showtime debut "sometime in 2004."

Really, the prospect of four Gipperific hours presented the Reagan camp with two (equally unappealing) options. One: Allow CBS its artistic license and hope

for the best. Two: Demand the truth. Scary and scarier, respectively. So hats off to Rep John Dingell (D-Mich.) for championing the latter in an open letter to CBS President Les Moonves, in which Dingell urged CBS to make the series a "fair and balanced" presentation.

"In the interest of historical accuracy," Dingell wrote, "please allow me to share with you some of my recollections of the Reagan years that I hope will make it into the final cut of the miniseries: \$640 Pentagon toilet seats; ketchup as a vegetable; union busting; firing striking air traffic controllers; Iran-Contra; selling arms to terrorist nations; trading arms for hostages; retreating from terrorists in Beirut; lying to Congress; financing an illegal war in Nicaragua; visiting Bitburg cemetery; a cozy relationship with Saddam Hussein; shredding documents; Ed Meese; Fawn Hall; Oliver North; James Watt; apartheid apologia; the savings and loan scandal; voodoo economics; record budget deficits; double digit unemployment; farm bankruptcies; trade deficits; astrologers in the White House; Star Wars; and influence peddling."

As the Gipper himself said, facts are stubborn

Devil in the Details

things. Whether CBS includes them or not, they won't go away.

—HEIDI PAUKEN

Turkeys Take Note

THANKSGIVING WILL ATTRACT the bulk of November's holiday attention, but let's not forget that it is also, by proclamation of the president, National Family Caregivers Month.

The White House press release recognizing the designation contains praise for the National Family Caregiver Support Program, which "gives family caregivers counseling, information, respite care, and supplemental services." Not noted is the fact that the administration's fiscal year 2004 budget proposes a \$13 million cut in the program.

November is also National Alzheimer's Disease Awareness Month, pursuant to which the Bush administration claims to be "supporting Alzheimer's research and helping those afflicted with the disease get care"—despite the fact that Bush's decision to pander to his religious base by drastically limiting stem-cell research has put major roadblocks in the way of finding treatments. The National Council on the Aging's Alzheimer's Initiative was also slated for real cuts in the 2003 budget.

Last but not least, November is also National Diabetes Month, yet another disease whose victims will suffer because of the stem-cell decision. Later, on Dec. 1, we can celebrate World AIDS Day and recall the State of the Union bait and switch that garnered the president



VAST RIGHT-WING CONSPIRACY

On Nov. 3, the American Enterprise Institute—a key VR-WC pillar—hosted a lecture by *Governing Magazine* Editor Alan Ehrenhalt with the intriguing title "The Vast Right-Wing Conspiracy and How It Grew." Ehrenhalt brought with him a disappointing message for the conspiracy:

Despite current GOP dominance of electoral politics, the era of Republican ascendancy ushered in by the 1968 election is over.

According to Ehrenhalt, the emergence of a "Republican megaphone" of media outlets and think tanks, and, indeed, the entire "elaborate and sophisticated conservative network," serves to mask the fact that the party has lost the popular vote in three straight presidential elections and that "Republicans can't claim hegemony until they win an election the old-fashioned way."

Democrats, conversely, "have become a party of minorities and people who listen to NPR, but that's not far from a majority." The Democrats don't have 2004 in the bag, either, but with trouble brewing in Iraq, Ehrenhalt warned conservatives against a growing arrogance he's detected in their ranks. To this the assembled conspirators replied with, well, arrogance. The right, it seems, has won the battle of ideas and will control the White House until hell freezes over. Ehrenhalt's rejoinder was to ask the crowd who among them thought George W. Bush could have won the 2000 election had W. faced off against Bill Clinton rather than the inept Al Gore. In a crowd of more than 100, five or six hands went up.

support for his new AIDS funding initiative that later turned out to contain more hot air than new money.

Thanksgiving week, you'll recall, the president always does a press event with a turkey, which the press release carefully notes will not be consumed at the White House table. The above sort of makes you fear for this year's bird.

—MATTHEW YGLESIAS

One Less Republican in Florida

AFTER SEVERAL WEEKS OF traipsing to burned-out hill-sides alongside Gray Davis,

Arnold Schwarzenegger steps out all by himself on Nov. 17 when he takes the oath as California's governor. If his initial appointments offer any indication of his governorship to come, his administration could be a masterpiece of creative tension—or a marvel of self-negation.

On the one hand, Schwarzenegger has made a few appointments that progressives can only cheer. His close friend Bonnie Reiss, a Hollywood entertainment lawyer long active in environmental and children's causes, will become his senior adviser. Terry Tamminen, who headed up a group to protect Santa Monica Bay, will take the helm at the

state's environmental protection agency.

On the other hand, Donna Arduin will move from Florida, where she's been Jeb Bush's finance director, to work for Arnold. During her five years with Bush, Arduin infuriated Republicans and Democrats alike for cutting health services for children and whacking school spending. If she pursues those policies in California, it would run counter to candidate Arnold's pledges not to make any cuts at the expense of public schools, and to expand the number of children covered by the state's Children's Health Insurance Program. But combine those commitments with Arnold's repeated vows not to raise any taxes and his pledge to repeal the increase in the state's car registration fees and Arnoldomics approaches utter incoherence.

Some insiders believe that, if the deficit balloons, Arnold will attempt to get voters to approve a bond measure to pay it off over time rather than raise taxes now—inflicting the costs of today's government on tomorrow's voters, the very same kids he professes to care so much about. If that sounds uncannily like George W. Bush, well, meet the emerging Republican consensus.

—HAROLD MEYERSON

the political discourse with *The Definitive Wingnut Debate Dictionary*. Originally compiled by Ethel the Blog, the entries can be found on Atrios, a blog much-visited by political insiders. Reader D provided these gems:

Acoulteration (n.) - The act of adding copious end-notes in an attempt to give the sham appearance that one's writings are scholarly, methodically researched and based in fact.

O'Reillyus Interruptus (v.) - To be cut off from making a really good point or argument by a radio or TV show host. Usually involves being loudly shouted down, having one's mic cut (if in a studio), or being "potted down" (if calling in to a radio program). Odds of this happening are greatly increased the closer one gets to the truth.

Cheney's Razor (n.) - A philosophic rule that the most complex explanation of an unknown phenomenon is probably correct.

Reductio ad Hannitum (n.) - To ask your evil liberal guest something patently ridiculous, then, while they roll their eyes, accuse them of "dodging the question."

Tucker Gambit (n.) - Baiting your opponent into a seemingly hypocritical position by using an irrelevant triviality as if it were germane to the topic; usually followed by shock and outrage at opponent's (expected) response.

Zellmanella (n.) - Affliction whereby you claim that you are a "life-long Democrat," but now you're disgusted by the party's negativity and you've fallen for the steely-eyed Dubya. Sufferers are known as "Zellots."

—BETH WALTON



OFF THE WALL STREET JOURNAL

The *Journal* is outraged that Democratic staffers on the Senate Intelligence Committee proposed a back-up plan to demand an independent investigation in the event that the White House keeps stonewalling the bipartisan committee's repeated requests for documents on the administration's treatment of intelligence. "Far be it from us to be shocked at politics in the halls of Congress," wrote the editorialist (in the course of expressing shock) in a Nov. 7 editorial headlined "Flagrantly Dishonest." The editorial goes on to call for the Senate Ethics Committee to investigate the staff memo that contained the Democrats' plan.

All of this, of course, is so much smoke, intended to divert attention from the real issue: Why is the White House refusing to fully cooperate with both the independent commission chaired by former Gov. Thomas Kean (R-N.J.) on the events leading up to September 11 and the Senate Intelligence Committee?

The former body wants to know whether Washington did everything it should have done to keep track of al-Qaeda. Published reports and interviews with Bill Clinton's national-security officials have suggested that in January 2001, the incoming Bush administration, despite full briefings, downgraded its treatment of the al-Qaeda threat. Retired Gen. Wesley Clark, in a speech to an Oct. 28 conference co-sponsored by the *Prospect*, suggested that he planned to make this an issue in the campaign.

The latter committee, meanwhile, wants to probe the politicization of intelligence about Iraq by a small cabal at the Pentagon, the excessive reliance on Ahmed Chalabi and kindred topics that could embarrass the White House. After all the stonewalling, committee staffers have every right to be frustrated. And the White House evidently needs all the smoke that the *Journal* can blow.

Teach These to the Kids

EVERY SO OFTEN, THE political vocabulary needs updating. A decade ago, "spin" was created to mean PR that didn't pass the smell test.

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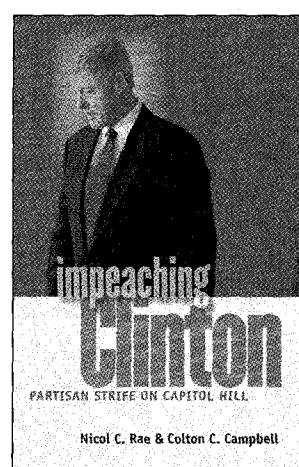
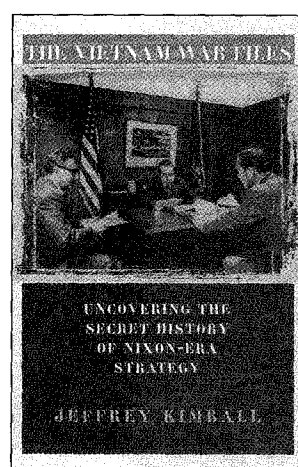
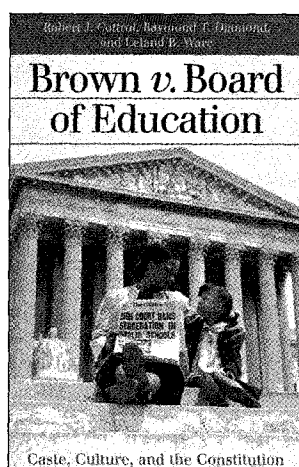
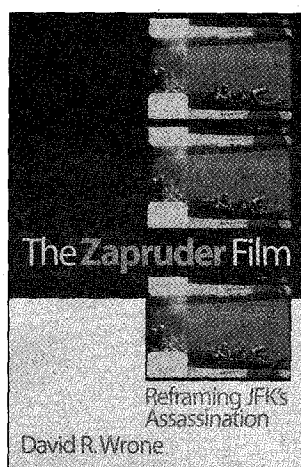
--CEO OF THE *SECOND-LARGEST* COMPANY, **DIEBOLD--AND** A MAJOR REPUBLICAN FUND-RAISER WHO RECENTLY DECLARED THAT HE IS "*COMMITTED*" TO HELPING OHIO DELIVER ITS ELECTORAL VOTES TO THE PRESIDENT NEXT YEAR!"

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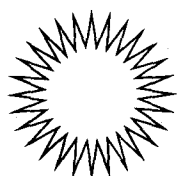
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Dispatches



Let's Talk Turkey: Prime Minister Recep Tayyip Erdogan (left) with Foreign Minister Abdullah Gul

The Quiet Revolution

All eyes are on Iraq, but the most breathtaking democratic reforms in the Muslim world are happening in Turkey—with Islamists leading the way.

BY STEPHEN KINZER

IN A YEAR OF ENORMOUS GLOBAL turmoil, the most astonishing political revolution of all has been unfolding not in Iraq but next door in Turkey. The first hint of its depth came on March 1, when Turkey's parliament shocked the world by refusing to grant the United States permission to launch an Iraq invasion from Turkish soil. Since then, an audacious new government has been working relentlessly to redefine both the nature of the Turkish state and the country's role in the world.

This process has already permanently changed relations between Turkey and the United States. For half a century the two countries maintained

an intimate partnership, underpinned by their joint campaigns against communism and later Saddam Hussein. With those threats now gone, Turkish and American leaders are wondering whether they still need one another.

The Turks, hoping more fervently than ever to join the European Union, are sliding out of the American orbit and steadily closer to Europe. Their new government has embarked on one of the most sweeping reform campaigns in the country's history. If this effort succeeds, Turkey will become important in a new way: It will be the counter-model to Muslim fundamentalism and a living example of how an Islamic country can

progress by embracing what Kemal Ataturk called "universal values." That would make Turkey an even greater asset to the West than it was at the height of the Cold War. In the past, Turkey was strategically vital because of where it is; in the future, it may be vital because of *what* it is.

THE POLITICAL EARTHQUAKE NOW shaking Turkey was set off by two events. The first and more dramatic was the election of November 2002, which brought to power the first stable, single-party government the country has had in more than a decade. It was an amazing triumph for the Justice and Development Party, which had existed for less than two years, and also an expression of disgust with the encrusted political establishment.

Then, just after that stunning election, European Union leaders promised that in December 2004 they would vote on whether to begin talks with Turkey about joining their elite club. These two events sent Turkey onto a frenzied course of reform that is breathtaking in its ambition—but also full of dangers.

The new government has used its large parliamentary majority to pass a series of profound reforms aimed at expanding civil and political freedoms. One package was designed to reduce the military's power in politics. Another legalized broadcasting and education in Kurdish languages, a major breakthrough in a country where promoting Kurdish culture has long been considered seditious. Parliament also voted to expand the rights of religious minorities, impose heavy penalties on abusive police officers, and make it harder to punish citizens for what they say or write.

Such reforms would be extraordinary in any Muslim nation. But what makes this scenario especially fascinating is the fact that the party leading this peaceful

revolution has its roots in Islamic politics. Its leaders, Prime Minister Recep Tayyip Erdogan and Foreign Minister Abdullah Gul, shun the Islamist label and prefer to be called “conservative democrats.” Both, however, pray regularly, avoid alcohol and are married to women who wear headscarves. Such people are often assumed to be intolerant. In Turkey today, however, their party is turning out to be more committed to democracy than any of the corrupt “secular” parties that bled the country for decades.

During a visit to Washington last year, Erdogan did not deny his fundamentalist background but said that he had been on a “sharp learning curve” and was assimilating “new lessons and new ideas.” His dream, he told one audience, was a Turkey that would “match other countries in the world in democratic values, as well as in technology and economic performance.”

Pro-Islamic politicians in Turkey used to be part of the reactionary establishment. That changed in the late 1990s with a crackdown on the Islamists.

A Muslim party leading the charge toward European-style democracy—this is a deliciously subversive contradiction. Turkish intellectuals have consumed much raki while musing about how it came to happen. One of them, the political scientist Soli Ozel, calls it “another example of a historical irony or dialectic, that the most unexpected people deliver what is most unexpected of them.”

Pro-Islamic politicians in Turkey used to be part of the reactionary establishment. That changed in the late 1990s, when a cabal of prosecutors, judges and generals launched a crackdown on the Islamists. They arranged for Erdogan to be removed from his post as mayor of Istanbul and sent to prison for 10 months, ostensibly because he had recited a pro-terrorist poem. Islamists say that this persecution led them to a kind of conversion, a turn toward the ideal of pluralist democracy.

Many Turkish secularists don’t believe a word of this. They cannot imagine that anything good could come from an Islamic party. Most suspect their new

leaders of practicing *taqiyya*, the permitted Muslim practice of hiding one’s true beliefs until the time is right to unveil them. Some are convinced that Islamist politicians support free speech only because it will allow them to spread their fundamentalist poison more easily. They argue that Turkey has already achieved something quite spectacular by building a secular and remarkably free society, and that if the current reforms go any further, they could produce a reaction toward the chaos of fundamentalism and separatist terrorism.

Tension is crackling between the two forces. It flared into the open on Oct. 29, at the annual Republic Day celebration hosted by the president, Ahmet Necdet Sezer. One of the diehards, Sezer refused to invite women who wore headscarves, meaning that Prime Minister Erdogan could not bring his wife. Asked about this snub, Erdogan told reporters,

“Put yourselves in my wife’s place and decide for yourself.”

As Erdogan’s government presses ahead with its reform agenda, it will face intensifying obstacles. Even if the measures passed so far are implemented and strengthened, Europeans will demand more. Turkey will have to show its commitment to religious freedom by allowing the Greek Orthodox seminary in Istanbul to reopen after more than 30 years; to minority rights by freeing Leyla Zana and three other Kurdish members of the parliament who have been imprisoned since 1994 on terrorist charges; to European politics by accepting a settlement to the decades-old Cyprus dispute. Traditionalists will resist these steps, but unless Turkey takes them within the next year, it could lose its last chance in a generation to move toward EU membership.

So far, according to an interim EU report issued in November, the reform project has not gone far enough. Military commanders still control many levers of civilian power, jailhouse torture persists and expanded cultural

rights for minority groups are more visible on paper than in practice. Turkey has pledged to do better, and when EU leaders review the record at their December 2004 summit, they will have to act very carefully. Some will undoubtedly insist that the European Union needs time to absorb its 10 new members and therefore should not consider taking on such a big one as Turkey anytime soon. Others may suggest that Turks are culturally and historically non-European and don’t belong in the EU under any circumstances. If, however, Turkey has continued to make progress toward European political and economic standards and still comes away from the summit empty-handed, many Turks will feel betrayed and angry.

For the Bush administration, meanwhile, Turkey’s move toward democracy comes at a very bad moment. Anytime before the pivotal November 2002 election, the United States would easily have won Turkey’s quick approval of a major strategic request like the one regarding Iraq. But for once, the parliament voted in accordance with public opinion and against the United States. Months later, Erdogan’s government agreed to send 10,000 peacekeeping troops to the U.S.-led force in Iraq, only to discover afterward that the Americans were changing their minds about the wisdom of the deployment.

Some in the Bush administration would like to punish Turkey for striking out on its independent course. Pentagon officials, who had assured the White House that they could persuade Turkey to allow use of its territory for the Iraq invasion, were very embarrassed when they failed, and sought to make Turkey pay for its defiance. The Bush administration’s recent decision to approve \$8.5 billion in loans to Turkey, however, suggests that those officials have failed to make their case.

Turkey is maturing toward democracy—exactly the course that the United States has been urging it to follow for decades. A more open Turkey will naturally be more difficult to influence than one dominated by generals, but the United States should welcome that kind of Turkey. It would be an oasis of pluralism in a deeply troubled part of the world and a model for other Muslim countries,

perhaps even neighboring Iraq.

A truly democratic Turkey, committed to humane values and anchored in Europe, could be a bridge between the Islamic and non-Islamic worlds such as has not existed since the days of Moorish Andalusia. The example of a pro-Islamic party pushing a country toward modernity, rather than away from it, would certainly resound throughout the Muslim world.

Turkey's challenge over the next year is immense. Its leaders must first push the country to take steps it has resisted

for decades and then persuade the European Union to reward it with a huge prize. This is a project of global importance. All who seek a more stable world—especially Americans—should fervently encourage it. ■

STEPHEN KINZER is a New York Times reporter. He is a co-author of *Bitter Fruit: The Untold Story of the American Coup in Guatemala* and the author of *All the Shah's Men: An American Coup and the Roots of Middle East Terror*.

brought joy to thousands of Episcopalians who believe that this is a natural next step for the church, and one that reflects their true faith.

THE EPISCOPAL CHURCH IN AMERICA has been, for the past century and a half, at the forefront of social-justice issues. The church is not large in this country—just 2.3 million parishioners—but its members have held a disproportionate number of important jobs, including 11 presidencies and one-third of all seats on the U.S. Supreme Court. It was the Episcopal Church in the north that most vocally opposed slavery in the years before the Civil War and that first ordained an African American bishop in the late 19th century. The church, in sum, has helped dictate the civil religion of the United States; the forbearance it has preached *and* practiced both reflects and has helped establish a civic space of tolerance in the United States.

Throughout the 1990s, that civic space opened up to gays and lesbians in remarkable ways; and quietly, behind all the headlines about “outing” and gay leading characters on television, the Episcopal Church can be said to have played an important role in that change. Though it never adopted an official policy for accepting gay priests, the fact is that it has long been open to the practice. An out lesbian was ordained as a priest by New York Bishop Paul Moore as long ago as 1977. Widespread tolerance took longer, but many gay ministers were ordained—and gay unions blessed—throughout the 1990s. In towns all over America, attitudes were shifting inside the parish house.

This tolerance has its roots in the fact that Episcopalians—the word comes from the Greek word for “Bishops”; the church has no single leader, like the pope—finds its spiritual center not only through Scripture and what is called “sacred tradition” but also through reason. As Frederick Quinn puts it in *To Be a Pilgrim: The Anglican Ethos in History*, reason “emphasizes the individual’s rational choice of what to believe and how to interpret belief. Beyond acceptance of a few basic articles of faith ... Anglicanism is notoriously short on doctrine. Church doctrine undergoes continual evolution.” The evolution of reason

Gay Rites Movement

Conservative Episcopalians huffing over the consecration of Bishop Gene Robinson are standing on the wrong side of history—their own church’s.

BY SARAH WILDMAN

SUNDAY, NOV. 2 DAWNED SUNNY AND hot, more like late spring than mid-autumn. At St. John’s Episcopal Church in Washington’s posh Georgetown neighborhood, the open doors brought a welcome bit of air to women in sleeveless dresses, who drew shawls loosely about their shoulders. The rector, choir members and seminarians were surely sweating beneath their crisp white robes as they filed in behind a woman carrying a heavy gold cross.

A layperson handed out the day’s prayers on photocopied sheets to visitors entering the 18th-century building—long a spiritual home to many of Washington’s glitterati, including Francis Scott Key, whose portrait graces a wall in an adjoining room. In the pamphlet, a weekly message from the Rev. David Williams reminded congregants that this Sunday was part of All Saints’ Day. Then it went on to the meat of the matter—that this Nov. 2 was important to the church for another reason, the consecration of Gene Robinson as bishop of New Hampshire. “While politics, orthodoxy, and a variety of opinions about what constitutes the church and its core beliefs may cause fractious conversation,” the note read, “one thing will always remain eternal—the love of

God and the action of that love through the incarnation of Jesus Christ.”

Normally the consecration of a bishop in New Hampshire wouldn’t be an issue addressed in an out-of-state parish newsletter. But Robinson, as most of America is well aware, is the first openly gay “noncelibate” bishop to be consecrated in the Episcopal Church—or, indeed, in any church. He has been the locus of a months-long fight over the future of the Anglican Communion, the worldwide body of which The Episcopal Church, USA is a part. He has been Topic A in England, and the subject of an emergency meeting of Anglican primates that met in mid-October. He has been chastised in Africa. He was the focus of a protest meeting of 2,500 in Dallas sponsored by the American Anglican Council, a body that has threatened to split from the church. He has even been contested at St. John’s in Washington, where a heated open forum was held the week before the consecration.

And, of course, Robinson has brought those on the margins into the center, serving as a role model for gay men, lesbians and other minorities in the church. His nomination and subsequent consecration—before a standing-room-only crowd of 4,000 in Durham, N.H.—

both shapes and is shaped by the continually evolving world around it—the forming of new traditions.

This openness to evolution, of course, is what's threatening to Anglicans and those of other faiths opposed to Robinson. The church has been through this before: In the 1970s, it was also the first to ordain women as priests, and, in 1989, the first to elect a woman as bishop. "This is a church that has survived threats of schism several times in the last 30 years," says Richard Parker, a lecturer in public policy and a senior fellow at Harvard's Kennedy School of Government. "The reason it is able to survive is that it is nested in a church that has been stable in its [progressive] worldview for about a century and a half." In fact, the language used to protest the consecration of Gene Robinson mimics nearly word for word the epithets thrown around during the fight over ordaining women in the late 1970s and early '80s.

In September of 1977, more than 1,700 Episcopalians met in St. Louis to discuss breaking from the church if women were ordained. Their comments at the time sounded a lot like remarks made by the 2,500 who met in Dallas this summer to rally against Robinson. "We are not schismatics," a leader from the 1977 meeting told *The Washington Post*. "We stand where we have always stood. We believe what we have always believed. ... Others do not." It was, he went on, his church that had "gone another way unheeding" and "turned its back on those scriptural standards which God gave for our guidance."

But progressive Episcopalians say that "believing what we have always believed" is not necessarily in keeping with the ideology of the church. "Within Anglicanism ..." explains the Rev. Ian Douglas, a professor at the Episcopal Divinity School in Cambridge, Mass., "there is an ethic ... where the church tries to be genuinely 'of' the cultural and political context of the place it is located." During the English Reformation in the 16th century, for example, the controversial decision to translate the Scripture into the English language, the vernacular, stemmed from this premise. It also explains some of the reason behind the fight over Robinson. There are

75 million Anglicans worldwide, and 38 regional or national churches in 164 countries. The American slice is tiny, and its context differs radically from the other countries in which Anglicanism is found. "The way in which conservatives can fall back on tradition and say, 'This is wrong in God's eyes,' that is what [American] Episcopalians have challenged head-on," says Karen King, professor of ecclesiastical history at Harvard Divinity School.

AFTER THE SERVICE, COFFEE AND PASTRIES were served in the community room at St. John's. John Suhar, a tall, gentle seminarian with Dick Cheney-style wide glasses, stood off to the side of the buffet table talking to parishioners. It was Suhar who'd led the debate about Robinson. In conversation, he said the meeting was a dialogue about change. Because "it's not the way it was, but it's not yet the way it's going to be," Suhar explained, people wanted "to talk, to understand so as not to become hostile."

"Any step forward on human rights and justice is where God calls us to go," says the Rev. Susan Russell, president of Integrity, the Episcopal non-profit that fights for inclusion of gays and les-

bians in the church. "When we take those steps forward, we leave some [people] behind. I'm optimistic that a lot of them will catch up."

But as Russell surely knows well, there is talk of a worldwide split in the church, and of a more local break between Episcopalian parishes in America. Such a divide could mean an ugly battle over church property—both material and spiritual. And yet, like change, talk of schism is nothing new for Episcopalians. There was talk of a split over the ordination of women, too, but it never came to pass.

The true legacy of the church is again in question, challenged this time by those who have begun to look for ways to gain distance from the national church without completely breaking away. Already, three conservative dioceses—one in Pittsburgh and two in Texas—have passed resolutions protesting Robinson. It's impossible to predict the shape future battles will take, but what seems highly unlikely is that this church, with all its progressive history, will start going in the other direction anytime soon. ■

SARAH WILDMAN is a writer living in Washington, D.C.

The Wrong Target

Democratic candidates obsessed with Bush's deficits are missing a free shot at his greatest economic vulnerability: the lack of jobs.

BY ROBERT L. BOROSAGE

"IF WE'RE GOING TO CREATE JOBS, THE first thing we have to do is make sure that George W. Bush loses his." John Kerry's refrain elicits raucous cheers wherever he goes, and it's echoed by the other Democratic presidential contenders. All share a similar and compelling critique of Bush's failure: More than 3 million private-sector jobs have been lost, record surpluses have turned to record deficits and millionaire tax cuts have given away the store with little to show for it. Bush will end this term with the worst jobs record of any president since Herbert Hoover and the Great Depression.

Bush trumpets the trend, not the reality: The third quarter showed significant economic growth, and jobs are finally starting to reappear. Profits, stock options and stocks are up, benefiting mainly the rich, who have also done well thanks to Bush's tax cuts. But trickle-down economics doesn't work. What average people worry about is still in recession: Income is down, jobs are down since 2000, health-care costs are soaring, school budgets are getting cut, retirement savings haven't recovered from the stock-market crash and public college tuition rose 14 percent

this year alone. Working families, meanwhile, are paying more in state and local tax and fee increases than they will receive from the Bush tax breaks.

The critique is powerful but not sufficient. For Democrats to challenge Bush successfully, they must do more than show that he hasn't brought the economy back; they must show how *they* would. September 11 has insulated Bush from blame in many voters' eyes; they are reluctant to blame the commander in chief unless they hear a compelling alternative. In 2002, Democrats failed to offer that alternative, and the outcome turned on other issues, like Iraq, homeland security, flag and family. For the Democrats to do better this time around, they will have to voice what they are for, not just what they are against. And that will take some work.

TO BEGIN WITH, DEMOCRATS NEED TO get past their single-minded focus on Bush's deficits. Right now, most are in thrall to Rubinomics—a theory named for Robert Rubin, Clinton's universally

respected treasury secretary, that holds that balancing the budget reassures financial markets, lowers interest rates and frees up private investment. From the rising liberal Howard Dean to the fading conservative Joe Lieberman, the focus is on the staggering budget deficits Bush has helped create. "I pledge to the American people that a Dean administration in Washington will balance the budget," says Dean. We must restore "fiscal discipline" and end "the Bush administration's slow-growth, high-debt polices," says Lieberman.

But this traditional banker's view of fiscal probity—once a staple of the Republican Party—doesn't make much sense in an economy still recovering from high unemployment, excess capacity and an investment overhang from the dot-com bubble. Interest rates are already near record lows. Nearly nine million people are looking for work; an estimated 2 million have dropped out of the labor market. Businesses are still tightening their belts. Household debt is at record levels. The federal govern-

ment should be running a deficit to get the economy going.

The green-eyeshade approach to budgets is bad politics as well. Deficits, pollsters tell candidates, are a symbol of Bush's failure, and railing against them insulates Democrats from the "big spender" tag and draws a stark contrast between Bill Clinton's success and George W. Bush's failure. But a focus on deficit reduction can leave Democrats tongue-tied about how they would put people back to work and reluctant to talk about the looming deficit that we can't afford: the deficit in public investments vital to our economy.

The last Democratic candidate to rail against record budget deficits was Walter Mondale. While Ronald Reagan was celebrating America's morning and promising that growth would balance the budget, Mondale went after the president's wastrel borrow-and-spend policies. "I'm going to raise your taxes," Mondale promised the country—and then went on to lose every state outside of Minnesota and the District of Columbia. Contrast

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this with 1992, when, in the face of George Bush Senior's staggering deficits, Clinton promised to "put people first," calling for large investments in cities, education and universal health care. Growth and upper-end tax cuts would bring the budget back to order.

Democrats would be wise to pay less attention to Rubinomics and more to the man from whom they sprang. Rubin argues that the problem with Bush Junior's tax cuts is that the short-term deficits are too small and the long-term ones too large and destabilizing. What's more, the money should have been spent on public investments that would put people directly to work rather than given away in upper-end tax cuts that produce far fewer jobs. The contrast would be between those tax cuts that didn't trickle down and public investments that would put people to work while addressing real needs.

This contrast shouldn't be hard to draw. Nearly all the leading Democratic presidential contenders have investment plans in mind (although many of

them are token at best). So far, however, the candidates have argued more about how much of the money they'd revoke than about how they'd invest it to put people to work. Democrats would fare far better talking about jobs, health care and other kitchen-table concerns rather than deficits, contrasting Bush's trickle-down tax cuts not with hair-shirt fiscal responsibility but with a people-first investment agenda.

DEMOCRATS ALSO REMAIN RELUCTANT to challenge the country's unsustainable trade deficits, which will exceed \$400 billion this year—nearly 5 percent of our gross domestic product. Over the last 20 years, we've gone from being the world's largest creditor to its largest debtor, with foreign debts about 25 percent of our current GDP. Asian central banks now own almost \$700 billion in U.S. Treasury bonds. They've been financing our trade deficits and helping to keep the dollar up, while capturing entire industries.

Bush clearly understands how politically potent this is. Last year's September

rollout featured Iraq; this year it was a "manufacturing jobs" campaign. He dispatched his treasury secretary to tell the Chinese to revalue their currency, promised to enforce a "level playing field" and defended his steel protection measures against European complaints.

But fake gestures—Bush's "manufacturing czar" still has not been appointed—won't come close to addressing a trade imbalance that the International Monetary Fund, Alan Greenspan, Rubin and the august Bank for International Settlements all call destabilizing and unsustainable.

So why haven't the Democrats piped up? Although Kerry and Lieberman have tried to paint Dean and Dick Gephardt as protectionists, all of the leading presidential contenders, in fact, oppose trade accords that don't contain core labor standards and environmental protections. Likewise, all pledge to enforce our trade laws. Some, particularly Dean and Lieberman, are assertive in challenging China. All, meanwhile, vow to repeal tax loopholes that reward

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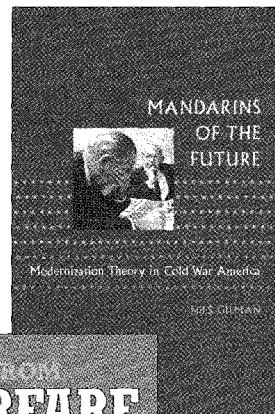
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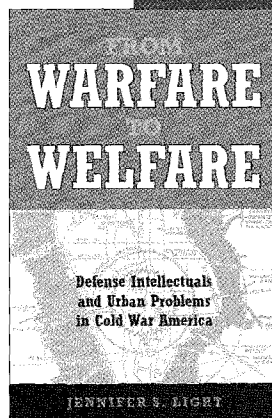
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companies for moving jobs abroad.

Worried about being tagged as protectionist, particularly in liberal financial circles, Democrats haven't highlighted Bush's failure on trade. None has registered the change in elite opinion: that the trade deficit can't be sustained. None has indicted the administration for its passivity.

The trade deficit now poses a clear and present danger. By ignoring the looming crisis, Bush leaves America's fate to the market. The market's solution is a dramatic decline of the dollar, most likely triggering a deep downturn here and a recession across the globe. That's why fabled investor Warren Buffett has announced that, for the first time in 75 years, he is moving to invest in European currencies.

The country needs creative leadership and informed international cooperation, but Bush has failed the test. Rather than alienating our allies over Iraq, the president should have been working with the European Union and Japan to generate greater growth there. That and

real debt relief for the less-developed countries would give us the ability to sell more abroad and help us manage our way out of these deficits. With an unimaginable \$100 billion trade deficit with China alone, this country also will have to stop pretending that mercantilist China is playing by the same set of rules. The Chinese aren't likely to lower their currency. So the Democrats should call for America to ensure—like the Europeans have—that trade with China continues to increase but is far more balanced, and simply not allow them to keep selling \$6 for every \$1 they buy.

This policy package is also good politics. This election is likely to be decided in the industrial Midwest—Wisconsin, Minnesota, Ohio, Pennsylvania, Michigan, West Virginia—where workers and communities have been devastated by the loss of manufacturing jobs. They want to know where the jobs are coming from. They know the economy is global, but they're looking for someone who will stand up for them. Taking on the trade deficit—even from an inter-

nationalist global-growth perspective—puts a Democratic candidate on their side, in contrast with Bush, whom they already sense is the president for the multinationals.

Many voters in the battleground states, particularly non-college-educated males, are alienated from Democrats on issues of culture and national security. If they conclude that neither party can make the economy work for them, they are likely to vote on other issues—flag and family, military, God, guns and gays. A Democratic candidate who is prepared to fight for a people-first growth agenda can highlight Bush's greatest vulnerability. A Democratic candidate who promises to raise taxes to balance the budget would sound like Walter Mondale—and may not fare much better. ■

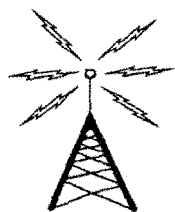
ROBERT L. BOROSAGE is a co-director of the Campaign for America's Future and a co-editor of The Next Agenda: Blueprint for a New Progressive Movement.

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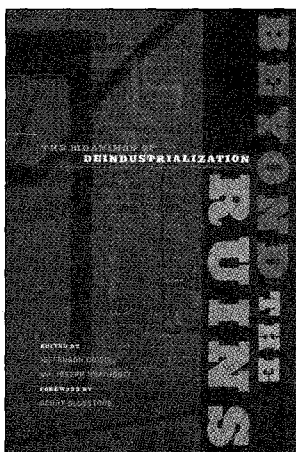
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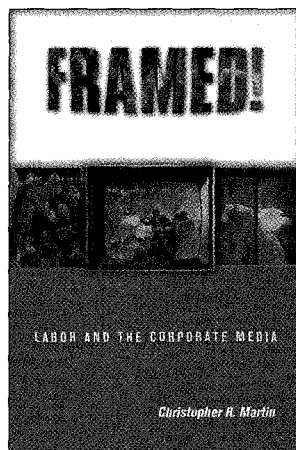
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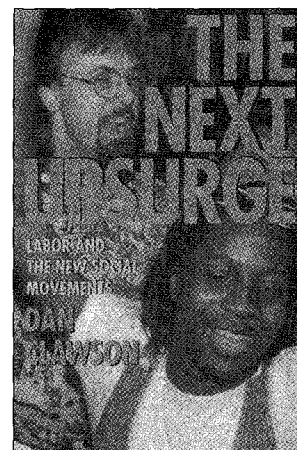
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Loophole-Consolidation Program

BY ROBERT S. MCINTYRE

We live in scary times. War and terrorism certainly top the list, but President Bush's tax and budget policies are pretty frightening, too. Yet apparently not everyone is as worried as I am. To illustrate, in early November the Republican majority on

Congress' Joint Economic Committee called a hearing to lay the groundwork for making our tax system even worse.

Under the rubric of "fundamental tax reform," witnesses were invited to explain why corporations and rich people deserve even bigger tax cuts. Committee Democrats asked me to represent their side. I was what one wag called the "token sacrificial lamb."

Tax reform used to mean closing loopholes and making those with the most money pay their share. But the Republican witnesses at the committee's hearing professed quite a different goal. Essentially, they pushed for a loophole-consolidation program that would make most of the income of the rich tax-exempt. Put another way, they called for replacing the income tax with a tax solely on consumer spending.

Sen. Arlen Specter (R-Pa.) led off the proceedings in praise of the "flat tax." Facing the rather large political problem that the flat tax would be a tax-increasing, budget-busting disaster for the vast majority of Americans, he chose to present a litany of falsehoods. Most preposterously, he insisted that despite abandoning graduated tax rates and totally exempting interest, dividends, capital gains and corporate profits, the flat tax would nevertheless increase taxes on the rich! Even the flat tax's designers have admitted that's exactly the opposite of the truth.

Next came Rep. John Linder (R-Ga.), who wants to scrap both income and payroll taxes and impose a regressive national sales tax. He claimed that such a scheme could fully fund the government at a 23-percent tax rate. No matter that the Joint Committee on Taxation has calculated that a sales-tax rate in the ballpark of 50 percent would actually be required. Linder wished away his plan's staggering revenue shortfall by fantasizing that it would increase capital investment by 76 percent in its first year and double the size of the economy within a decade or so. Such a pipe dream suggests a new meaning for "Joint Economic Committee."

The second panel brought in advocates from outside the government. Michael Boskin, who served as the first President Bush's top economic adviser, said what you'd ex-

pect from an economist who works at a think tank founded by Herbert Hoover. He echoed the call for replacing the income tax with a consumption tax, albeit less flamboyantly. Likewise, Ed McCaffery, a law professor at the University of Southern California, preached the consumption-tax line—although he said he favored higher rates on better-off people's spending. The fact that the rates on such a narrow base couldn't possibly be high enough to avoid big tax cuts for the rich didn't faze him.

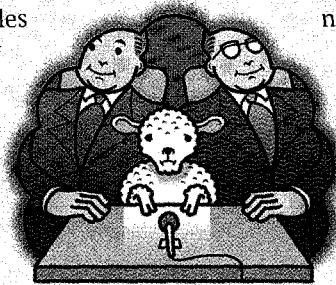
The consumption-tax chutzpah award, though, went to Cliff Massa III, who works at the high-powered corporate lobbying firm Patton Boggs LLP. According to Massa, Congress will never be able to stop lobbyists like himself from larding the tax code with loopholes for their wealthy clients. The only solution, he said, is to give up.

At the end of the hearing, I got to put in my 2 cents. My message was simple: The government is broke, and most of the problem is due to the sharp decline in taxes paid by corporations and rich people. According to recent figures from the Congressional Budget Office and the Institute on Taxation and Economic Policy, the effective federal tax rate on the best-off 1 percent of Americans has dropped by 30 percent over the past quarter-century. To put that in perspective, if the wealthy paid the same share of their income in taxes today as they did in 1977, annual revenues would jump by \$200 billion. Likewise, if corporate income taxes were restored to the share of the economy that they averaged from 1950 to 2000, companies would pay \$180 billion a year more.

So fairer taxes and a return to fiscal responsibility must go together, I argued. In fact, any fundamental reform that doesn't increase revenues enough to pay for our government should be dismissed out of hand.

Sadly, I don't think my old-fashioned views made much of an impression. One GOP member did politely ask me how I expected to achieve my goals. I suggested regime change. He and his fellow Republicans laughed. ■

ROBERT S. MCINTYRE is the director of Citizens for Tax Justice.



The -Ism That

Neoconservatism relies on a history in which it alone won the Cold War. But that's not what happened. As neocons lead us deeper into holy war, it's time for a history lesson.

THE AFTERMATH OF THE IRAQ WAR WILL SURELY SEE U.S. foreign policy at the forefront of national debates for years to come. Conservatives will claim—as they have been claiming for months—that only they were sufficiently prescient about “the present danger” of Saddam Hussein. And liberals will again find themselves on the defensive.

Sound familiar? Back during the Cold War, neoconservative intellectuals flattered themselves in their conviction that they carried forward the anti-communist cause that liberals had dropped in the late 1970s and 1980s, and they ran with it as though they had recovered a fumble and headed toward the goal line to win the game and enjoy the glory. The monthly magazine *Commentary* has basked in that glory, enjoying more influence on recent government foreign policy than any other intellectual journal.

While *Commentary* influenced the Reagan administration, the newer *Weekly Standard* has had similar influence with the current Bush administration. But whereas *Commentary* Editor Norman Podhoretz convinced readers that America was losing the struggle against the Soviet Union, *Weekly Standard* Editor William Kristol seeks to convince us that fundamentalism's days are numbered once Iraq is transformed as the first step in the democratization of the Middle East. One writer desired to see American military power prevail, the other its political ideals. Have either?

Let's look at the record. *Commentary's* persistent assumptions about communism—who the ultimate enemy really was and why America was going to lose the struggle unless it took its advice—did much to help create the perilous post-Cold War situation in which we now find ourselves. *Kapital* is gone now and the Koran has taken its place. But 20 years ago, *Commentary* dismissed “the Islamic revolution” as little more than a sideshow concealing the movement of the Soviet Union into the Mideast. Thus the fall of the shah in Iran in 1979 was alleged to be as ominous as the fall of the czar in Russia in 1917—not because it presaged a religious fundamentalism that one day would become America's mortal enemy but because it signaled the “prelude” to communism's inevitable march into the oil states. With the stakes

so high, *Commentary* saw nothing wrong with America arming Osama bin Laden and Saddam Hussein and establishing a covert alliance with the House of Saud, which would turn out to be the financial angel of al-Qaeda.

Years earlier, liberals, of course, saw nothing wrong with America shipping arms to Joseph Stalin during World War II. But that effort lasted only a few years, and it was Ambassador George Kennan who warned us of the Soviets' domineering aims as the war drew to a close. In the recent Mideast, however, America's misjudgments lasted for an entire decade with no sense of danger. We are living with the consequences of those decisions today.

On the intellectual cold war in America, *Commentary* took its stand as a unilateralist long before today's neoconservatives gave the word its cachet. Just as the Bolsheviks once believed that to defeat czarism one must extirpate Menshevism and the liberal Kadets, so, too, did the conservatives of our time believe that to defeat communism one must extirpate radicalism and the liberal democrats. *Commentary* convinced itself and its readers that in order to fight communism, it had to rid the country of progressive politics and expose its illusions in the name of the hardheaded realpolitik of conservatism. The proliferation of weapons would succeed where the patience of wisdom had failed. With such assumptions, *Commentary* emerges victorious in the annals of modern American history. It claims to have won without needing any friends on the left.

Why this assumption has caught on is curious. Was it not the compromising disposition of conservatism, from the prudence of Winston Churchill to the pecuniary politics of Henry Kissinger, that proved quite willing to accommodate itself to communism, both in Eastern Europe as an established “sphere of influence” (drawn by Churchill with a blue crayon) and in Asia as a land of economic opportunity? The American presidency remained almost as indifferent as the public when, in Hungary in 1956, the Red Army turned the Budapest uprising into a bloodbath, and when, in China in 1989, a young man stood alone and defiantly halted a tank in Tiananmen Square as others looked up to their jerry-rigged Statue of Liberty and

Failed

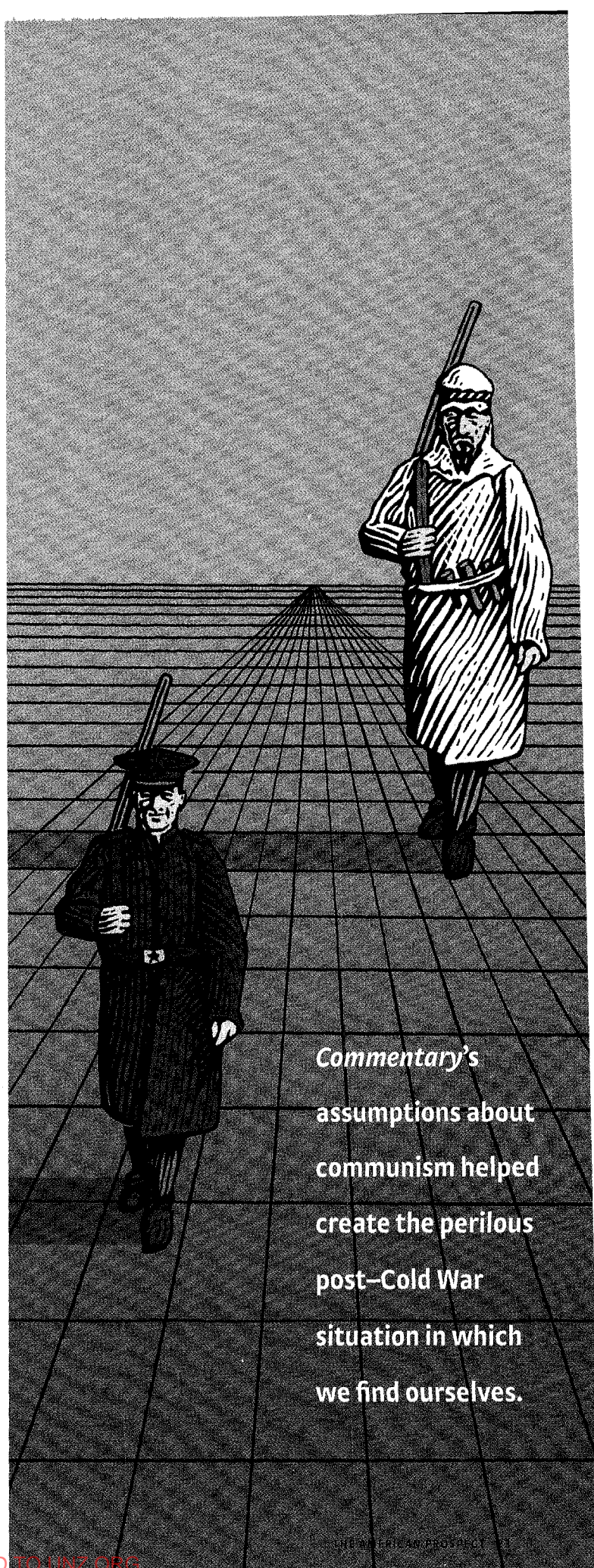
BY JOHN PATRICK DIGGINS

ILLUSTRATION BY ISTVAN OROSZ

sent desperate faxes to an America that shamefully averted its eyes. Struggling to be born behind the Iron Curtain and the Great Wall of China, freedom died as much from the failure of its friends as from the acts of its foes. World communism had nothing to fear from American conservatism.

In fact, the history of the Republican Party should serve as a cautionary tale of conservatism's limitations for statecraft. With Dwight Eisenhower, communism survived in Korea; with Richard Nixon, it prevailed in Vietnam. Gerald Ford assured the American people that Poland was a "free" country. Ronald Reagan withdrew from Lebanon after terrorists massacred about 400 American and French soldiers. And George Bush Senior had no objections when Chinese officials told him that in crushing the Tiananmen Square movement, they were simply doing what America had done against student demonstrators in the 1960s. The party that *Commentary* claims won the Cold War was actually the party of pullout and back off. And today *The Weekly Standard* looks to the party that refused to support democracy in China, and could not even bring it to our neighbor Haiti, as the very party that is ready and willing to establish it in Iraq.

INTELLECTUALLY, THE COLD WAR BEGAN IN NEW YORK City at the Waldorf Hotel on March 26, 1949. A conference organized by, among others, Lillian Hellman brought communist cultural celebrities together to defend the U.S.S.R. The older, more liberal *Commentary* carried William Barrett's lively account of the affair. Those who bolted from the Stalinist-dominated conference and started the American Committee for Cultural Freedom included liberals, democratic socialists and even anarchists (Dwight Macdonald), with no conservatives in sight. Indeed, there was more true, gut-felt anti-communism among Italian American, Polish American, Irish American and Jewish American anarchists (Carlo Tresca, Aldino Felicani, Max Nomad, Dorothy Day, et al.) than within the entire Republican Party, some of whose leaders used the issue to win elections, only later to shake hands with communist leaders and open up trade relations. As early as 1920, it was the anarchists and the liberals, Emma Goldman and Bertrand Russell,



Commentary's
assumptions about
communism helped
create the perilous
post-Cold War
situation in which
we find ourselves.



who first perceived the treacheries of Leninist communism, and in the 1920s, Max Eastman of the old *Masses* helped translate Russian documents for *The New Leader* to publicize the plight of the opposition in Stalin's Russia and make available to Americans the writings of Boris Souvarine and Boris Nicolaevski. The valiant struggle against totalitarianism became synonymous with democratic liberalism and the anti-communist left.

THAT WAS THEN. FOUR DECADES LATER, WHEN Norman Podhoretz edited *Commentary*, he took the magazine away from the zany liberal radicalism of the '60s and, in the late '70s, liberalism became the problem—not only the wimpy liberalism of Jimmy Carter but liberalism itself, going all the way back to

but that proved insufficient to the enraged Hilton Kramer, editor of *The New Criterion*, who defended Hook while going after Schlesinger as an apostate to the cause to which *Commentary* had belatedly dedicated itself.

Commentary was always more comfortable with communism alive than dead, and Podhoretz thus singled out Schlesinger as one who left the trenches before the war had really begun. "In the 40s and 50s, when the Soviet Union was very much weaker than the United States," wrote Podhoretz in 1980, "Schlesinger expressed great anxiety over the Soviet threat; yet now, when the Soviet Union is as at least as powerful as we are and by any objective standards constitutes a greater threat, he keeps telling us how beleaguered and toothless the Russians have become."

The Soviet Union in the 1940s was "very much weaker than the United States"? Again, facts matter. This was the very

"The Present Danger" thesis, too, transfixed some readers with a narrative whose success in literary persuasion need not bother with the demands of historical proof.

Franklin Delano Roosevelt and World War II. The failure of nerve to resist communist expansion, Podhoretz insisted, had its origins in America's "acquiescence" to the Soviet occupation of Eastern Europe toward the end of the war against Adolf Hitler. The Cold War may have begun in 1947 with Harry Truman and containment and the Marshall Plan, but "up until this point the Russians had enjoyed a free hand. They had been permitted to occupy most of Eastern Europe and to begin installing puppet regimes in one after another of the countries of the regions."

Podhoretz and sociologist Robert Nisbet claimed that FDR allowed such developments against the advice of Churchill. But in the essay "Neoconservative History," first published in *The New York Review of Books* and later reprinted in his *A Present of Things Past*, Theodore Draper insisted that "there is nothing, I repeat *nothing*" in the voluminous FDR-Churchill correspondence to support such a charge.

Podhoretz came to anti-communism rather late—so late, in fact, that one would never know that the same editor who criticized liberals for opposing the war in Vietnam actually opposed it himself in a 1967 *Commentary*-sponsored symposium on "Liberal Anti-Communism Revisited." Even the fiercely anti-communist philosopher Sidney Hook—*Commentary*'s great intellectual hero of the 20th century—acknowledged that America should not have gone to war in Vietnam, though he shrank from advocating withdrawal (a strange position for the pragmatist, who believes that when experience proves the errors of one's ways, something else must be tried).

If Hook was *Commentary*'s hero, Arthur Schlesinger Jr. was its villain. In his contribution to "Liberal Anti-Communism Revisited," the historian used the term "obsessive" to describe those who had absorbed themselves in anti-communism long after the communists in America had lost all influence in trade unions, government and higher education. Schlesinger himself had been a staunch anti-Stalinist,

Leviathan that had conquered the Wehrmacht on the eastern front, moved into the entire land mass from the Baltic to the Balkans, liquidated the Polish intelligentsia, crushed Czechoslovakian democracy, enjoyed broad support within Western European communist parties and the heroic mystique of anti-fascism—and, unlike America, made no gesture at demobilizing its militaristic posture at war's end. If the Soviets were "very much weaker," why did the West need the Truman Doctrine, the Marshall Plan and the Congress for Cultural Freedom? When Schlesinger took on communism, it was still regarded as popular in some sections of America and of the world—championed by Hellman, Paul Robeson and Jean-Paul Sartre. By the time *Commentary* came so late to the issue—indeed, after the anti-Semitic "Doctor's Plot," Nikita Khrushchev's "Crimes of Stalin" speech, Hungary, Czechoslovakia, the Sino-Soviet split, Afghanistan, the Gulag—the Soviet Union was little more than a faceless bureaucracy wheezing its death rattle. Daniel Patrick Moynihan was another who saw communism's "terminal contradictions" (Bill Bradley's phrase invoked at a recent Moynihan memorial). Even Reagan recognized, in his second term, that Russia was nearing its end and urged Mikhail Gorbachev to join him in beginning disarmament and ignoring their respective bureaucracies. But to some it was better to be wrong with Hook, Kramer and Podhoretz than right with Schlesinger, Moynihan and Reagan.

Commentary's second villain was John Kenneth Galbraith, the liberal economist who would return glowing from Russia as though he had been swept away by the Bolshoi Ballet. Confident that Russia's collectivized economy would prove efficient and productive, he was misguided, to be sure; but perhaps no more so than Henry Ford, who in the 1930s decided to invest in Stalin's Russia for similar reasons; or the J. P. Morgan Company, which invested in fascist Italy; or the clients of Henry A. Kissinger & Associates, who invest in contemporary communist China with their eyes as wide open as their checkbooks. After all, it was not simply liberal intellectuals but Wall

Street brokers who demanded that the United States recognize the Soviet Union in 1933—the same forces demanding today the right to do business with Fidel Castro’s Cuba. All capitalism corrupts, but consumer capitalism corrupts consummately.

Whatever the behavior of capitalism, communism expands irresistibly and liberalism retreats inevitably. Such was the thesis of Podhoretz’s momentous essay “The Present Danger” (1980), published as a book and widely influential during the Reagan administration, where several *Commentary* contributors became advisers. The text evolved from the thinking of the Committee on the Present Danger, formed in the ’70s by political and labor leaders, neocon intellectuals and CIA officials, all convinced that the Soviet Union was massively arming for an ultimate showdown.

In *Commentary*, American liberals are depicted standing before the Russian menace the way Thomas Carlyle depicted old regime aristocrats standing before the French commune: dumb, inert, squeamish about power, guilty in the face of history. We cannot explain the French Revolution, Carlyle instructed, we can only follow the surging specter moving with the force of nature, “like an Angel of Death.” So, too, are we advised in the opening lines of “The Present Danger.” We are not to ask patiently for the meaning of events but to respond fearfully to the drama itself:

On November 4, 1979, the day the American embassy in Teheran was seized and the hostages were taken, one period in American history ended; and less than two months later, on December 25, when Soviet troops invaded Afghanistan, another period began. The past being easier to read than the present, we can describe the nature of the age now over with greater assurance than the one into which we are at this very moment just setting a hesitant and uncertain foot. Yet even to recognize whence we have come, let alone whither we are going, will require an effort to clear our minds of the cant that prevented an earlier understanding of the terrible troubles into which we were heading. I propose that we start, then, by renouncing the general idea that before Iran and Afghanistan we have moved from ‘cold war’ to ‘détente’ and that the old political struggle between ‘East’ and ‘West’ was yielding in importance to a new economic conflict between ‘North’ and ‘South.’

Podhoretz was convinced that the shocking events in Iran and Afghanistan represented “the final collapse of an American resolve to resist the forward surge of Soviet imperialism.” As late as 1999, he remained convinced that in the ’70s the Soviet Union “began taking advantage of the post-Vietnam demoralization of the United States to resume its expansionist thrust.” Earlier he warned that America must realize it is entering into a new era, one in which “we would be forbidden to speak its name aloud: the Finlandization of America.”

The phrase may carry little meaning to a younger generation today, but a quarter-century ago, *Commentary* and its conservative readers saw it as containing such profound truth about geopolitics that it was repeated as a mantra. In late 1939, Russia went to war against Finland, a Nazi-leaning country

that fought valiantly but, after seeing that the war was hopeless, settled for a compromised status under the Soviet behemoth. Rarely has a metaphor about the fate of a country been so manipulated in a combination of wordplay and spectral evidence. The phrase, remember, did not refer to Europe but to *the United States*, and its author implied that American political leaders were turning pacifist in order to win elections at any cost, peace at any price. “There is no need to go on filling in the details,” Podhoretz added, after coming close to accusing liberals of betraying their country. Finlandization! Was America going to lose the Cold War internally, state by state, or globally, first Angola and then Alabama?

Podhoretz assumed that Iran and Afghanistan were connected, that they represented a second and more dangerous phase of the Cold War and exposed the delusions of those who believed in détente. He even warned readers that they must not be misled by the “Orwellian inversions at which Soviet propaganda has always been so adept,” the technique of concealing imperialist ambitions in the language of emancipation. Ironically, George Orwell also warned against the very rhetoric invoked in “The Present Danger” thesis in an earlier essay he wrote, “Second Thoughts on James Burnham.” The American Cold Warrior, Orwell noted, tries to hypnotize the reader by building up a “picture of terrifying, irresistible power” in a world where everything is “expanding, contracting, decaying, dissolving, toppling, crumbling, crystallizing, and, in general, behaving in an unstable and melodramatic way.” “The Present Danger,” too, transfixed some readers with the rhetoric of the irresistible in a narrative whose success in literary persuasion need not bother with the demands of historical proof, just as today Iraq was to have posed an imminent danger with its weapons of massive destruction and al-Qaeda terrorists on every street corner.

But Podhoretz never tried to explain—or understand—why Iran and Afghanistan had happened. In fact, what happened in those nations had little to do with the alleged thrust of Soviet imperialism. Indeed, in 1946, U.S. foreign policy compelled Russia to withdraw from Iran, and in 1979, Iran was hardly inviting back the Russians to return as liberators. As for Afghanistan, Podhoretz indulged in the descriptive fallacy of simply narrating what happened without explaining why and leaving the rest to our imaginations. He felt no need to explain the possible reasons for the Soviet invasion. So one would never know that the Soviet Union was not only frustrated about the factionalism that befell its party in Afghanistan, but also that Islamic fundamentalists had killed numerous Afghan communists in a bloody jihad. The fundamentalists were prompted to do so when young Afghan women dared to leave behind their chador, *burqa* and veil and go off to school to learn to think for themselves. *Commentary* couldn’t have cared less what the Afghans were fighting for; all that mattered was whom they were fighting against. For all its prating of Western values, *Commentary* sided with the Islamic East in Afghanistan.

Similar misperceptions ruled



the neocons' response to Angola. One would think that the aftermath of Vietnam, the longest war in America's history, might have caused Cold War intellectuals to reconsider their premises about the Munich analogy and all those falling dominoes that not only failed to fall but had communists fighting one another in Cambodia. Yet in *Commentary* the war continued as an ontological necessity. "No sooner had Vietnam fallen than Soviet proxies in the form of Cuban troops appeared in Angola," wrote Podhoretz.

But were Cuban troops Soviet proxies? The latest archival research, in Johns Hopkins University professor Piero Gleijeses' *Conflicting Missions*, suggests the opposite. When, on Aug. 15, 1975, Castro sent a message to Leonid Brezhnev asking to support the introduction of Cuban troops, Moscow balked, fearing that such a move "would hurt détente and offend most African countries." Likewise, William Colby, the CIA director at the time, told the National Security Council that then-Soviet Ambassador Anatoly Dobrynin desired deeply to go before the Congress of the Communist Party with assurances of "significant progress" in Soviet-American relations. "A meeting with Ford, the Politburo hoped, would produce a SALT agreement. Clearly, Castro and Brezhnev were on different wavelengths," Gleijeses writes.

Ironically, in Angola the CIA covertly financed the National Front for the Liberation of Angola (FNLA), which behaved as the Bolsheviks had in 1917 by refusing to allow an election of a constituent assembly. "It was the U.S.-backed FNLA that had violated the Alvor power-sharing agreement of March 1974 in a daring bid to seize total control of the state apparatus," writes the diplomatic historian William R. Keylor in *A World of Nations*. "The first foreign combat forces to enter Angola were the Zairean units that invaded in July 1975 in support of the FNLA with the tacit support of Washington. ... The United States began to complain about foreign interference in the Angolan Civil War only after the tide had turned against the faction it had been covertly backing since the beginning of the conflict." The Marxist regime in Angola continued to do business with American oil firms and did not allow Russia to obtain naval or air bases or any other strategic advantages. But Washington and *Commentary* worried that the Soviet Union would use Angola and its Cuban "surrogates" to support liberation movements elsewhere in the Third World. And the Ford administration, Keylor writes, "chose to interpret the political outcome of the Angolan Civil War in the worst possible light."

This, then, was "The Present Danger" mentality, which did much to lead America into making the dangerous decision to arm the Afghan resistance, the mujahideen, with handheld heat-seeking missiles that were devastatingly effective against Soviet helicopters and aircraft. The missiles were sent *against* the advice of the Joint Chiefs of Staff, and after Gorbachev had made known his intention to withdraw Russian troops from Afghanistan. Whether they were also deadly against American troops in Somalia we can't be sure. But we do know, thanks to Mary Anne Weaver's *Pakistan: In The Shadow of Jihad and Afghanistan*, that the mujahideen sold to Iran many of the very stingers that America had given the resistance to fight Russia.

So there was a connection between Afghanistan and Iran after all. They were the first deadly expressions of Muslim fun-

damentalism's challenge to the West. They were not "The Present Danger" that America would immediately have to face but the future danger; not a communism that was on the wane but a fundamentalism that was on the rise. And, at the neoconservatives' urging, America chose as allies creatures from the caves who would prove that they were "freedom fighters" by detonating a Buddhist temple.

PODHORETZ'S THESIS FOUND SUPPORT IN JEANE KIRKPATRICK'S "Dictatorships and Double Standards," published in *Commentary* in November 1979. The essay provided much of the rationale for Cold War policy and led President Reagan to appoint Kirkpatrick ambassador to the United Nations. Kirkpatrick put the ideologies of liberalism and Marxism on trial by questioning what might be called the "fetishism of the following," the idea that what comes next in history is always and everywhere preferable to what went before.

The Carter administration had allowed the fall of the shah in Iran and Anastasio Somoza in Nicaragua, assuming the forces of opposition, whether Islamic or socialist, to be progressive. But America should have supported the shah and Somoza, Kirkpatrick instructed, for they represented traditional autocracies that allowed a modicum of freedom, whereas communist totalitarianism can neither be challenged nor changed.

Kirkpatrick advanced three arguments—relating to Latin America, Russia and the Mideast. All proved unfounded. In Nicaragua, the Sandanistas did postpone elections while the Reagan administration supported their opponents, the Contras. But when elections were held, the cocky Marxists, assuming they had a basis in "the people," were shocked to find that they had lost and had to have their own false consciousness examined as they peacefully, though begrudgingly, relinquished power. The victory of the publisher Violetta Chamorro over the revolutionary Daniel Ortega demonstrated that liberalism was not entirely helpless in the face of communism.

Nor did totalitarianism prove to be so permanent a phenomenon. Kirkpatrick's thesis came to be called the "doctrine of irreversibility": Once totalitarianism takes hold there is no turning back and no way out. In January 1989, *Commentary* published Jean-Francois Revel's "Is Communism Reversible?" To those few who seemed hopeful, the French author remained downright skeptical. "Despite what so many in the West appear to regard as an extremely easy process," he wrote, "we cannot name a single *completed* instance of Communist reversibility." The current editor of *Commentary*, Neal Kozodoy, has attempted to rescue the magazine from its embarrassment by claiming its writers predicted only that Russia was not reformable. Yet Revel, just 10 months before the Berlin Wall fell, made it clear that the regime could neither be reformed nor ended without its leaders committing "hari-kari."

In the Middle East, the Kirkpatrick analysis has offered no guidance whatsoever because it proved to be bereft of all standards. So worried was *Commentary* that Iran might turn out to be a "prelude" to a communist takeover, and so worried was the Reagan administration that Iran would become the leading power in the Persian Gulf, that America decided to support Iraq as a means of protecting Saudi Arabia and other oil resources. It was then believed that Saddam Hussein was the rational autocrat and the Ayatollah

Khomeini the totalitarian fanatic.

George W. Bush's defense secretary, Donald Rumsfeld, was Reagan's special envoy to the Middle East, where he embraced Hussein and, together with Bush Senior, secretly supplied the dictator with whatever he asked for in his fight against the Kurds and other opponents. A National Security Directive of Nov. 26, 1983, aided the counterinsurgency campaign, called Anfal, with money and materials (anthrax, botulinum toxin) with which Iraq was able to develop and use chemical weapons, resulting in the systematic slaughter of 100,000 people. When stories of the atrocities reached the press and the world reacted in horror, the U.S. Department of State launched an "Iran, too" gambit, claiming that both sides used poison gas. "It was a horrible mistake," observed Kenneth Pollack, author of *The Threatening Storm*. "My fellow CIA analysts and I were warning at the time that Saddam Hussein was a very nasty character. We were constantly fighting the State Department."



Pipes told *Commentary*'s readers that the Soviet Union may not be breaking up but cracking down. Reagan's willingness to negotiate with Russia, meanwhile, sounds pretty much like what liberals had been advocating all along.

Liberals should take pride in the end of the Cold War. *Commentary* was reluctant to acknowledge the Eastern European forces of freedom that courageously took to the streets to overthrow communism, in part because the surprising phenomenon represented the three great antagonists of conservatism: the youth culture, the intellectuals of the '60s generation and the laboring classes that still favored Solidarity over individualism. American neoconservatives like William J. Bennett are haunted by the crisis of authority at home and see knowledge threatened by skepticism everywhere. In *Why We Fight*, Bennett claims that we are in Iraq to take a stand for truth and to rescue "moral clarity" from the quicksand of liberal "pseudoso-

Today's neoconservatives should remember that while morality may be about intentions, politics is inescapably about consequences, especially unintended ones.

RUSSIAN HISTORY HAS ALWAYS SEEMED TRAGIC TO ME. But those of us who were once under the spell of totalitarianism's savage power came to see it as more decrepit than dangerous, and we felt for the fate of a Russian people stuck with communism the way America had once been stuck with slavery. But did *Commentary* not see the stories that were all over the press? A Russian nuclear sub breaking apart beneath the sea, Chernobyl spewing radiation for hundreds of miles, alcoholism and the demoralization of labor, a military barely receiving pay, ethnic unrest in Georgia and elsewhere, the repression of intellectuals and the defection of cultural heroes, a command economy that refused to be commanded.

The neoconservatives would have us believe that the fall of communism was a result of realpolitik and that America emerged victorious because it had the wealth with which to develop sophisticated weapons, especially "Star Wars." But why should that program have made a difference when Reagan assured Gorbachev again and again that it had no offensive capacity? According to Anatoly Dobrynin in his memoir, *In Confidence*, U.S. military spending was far less crucial than Reagan's coming to realize the importance of establishing good relations with Russia, a move that enabled Gorbachev to embark upon "new thinking" (*novoe mishleniye*) and launch his reforms. Reagan himself, in his autobiography, *An American Life*, writes of changing his mind about the "evil empire" upon visiting Moscow for a summit in May 1988. The Soviet citizens, he wrote, were "indistinguishable from people I had seen all my life on the countless streets in America." While Reagan was changing his mind, that of the neoconservative intellectual remained as fixed as an irrefutable error. As late as 1990, the historian Richard

phisticated relativism." But in Eastern Europe, intellectuals took a stand for courage without certainty. "For my generation, the road to freedom began in 1968," recalls the historian Adam Michnik, who wrote of the members of the Solidarity union movement in his *Letters From Prison*. The playwright Vaclav Havel, associated with Charter 77 and the Prague Spring, took his bearings from the metaphysical anxieties of Martin Heidegger and the existential meditations of Franz Kafka and Samuel Beckett. Against totalitarianism such writers stood for skepticism, irony, uncertainty, and a refusal to believe in and yield to an authority that prefers to possess truth rather than pursue it. Soviet communism ended the way American liberalism began: "Resist much; obey little," as Walt Whitman wrote.

The older "Present Danger" thesis and the "Double Standards" analysis rested easily with power politics and autocratic regimes. The position of *The Weekly Standard*, in contrast, aspires to Wilsonian democratic idealism in American diplomacy. A noble purpose, to be sure. But with Iraq in mind, its editors should heed Max Weber's warning that while morality may be about intentions, politics is inescapably about consequences, especially unintended consequences. Recall that Lyndon Johnson thought America could bring democracy to the Mekong Delta. One can only wonder whether our younger neoconservatives risk coming dangerously close to reversing T. S. Eliot's definition of "the greatest treason" by doing the wrong deed for the right reason. ■

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Judging Terry

The DNC's Terry McAuliffe hasn't been Mr. Popular, especially since '02. But he's quietly been assembling the machinery for '04. His rep—and a lot more—hinges on the outcome.

BY HAROLD MEYERSON

Terry McAuliffe doesn't know how to shut it off. The chairman of the Democratic National Committee (DNC), says Democratic strategist Harold Ickes, "is a great salesman; he has this infectious optimism." Even in the face of abjectly awful election outcomes,

McAuliffe hasn't been able to tone down that optimism. Nuance seems beyond him. On election night 2002, as all available intelligence pointed to a Democratic debacle, McAuliffe nonetheless told Larry King, "I think it's going to be a very good night for the Democrats."

And when the chairman sits down with me two nights after this November's election, in which the Democrats lost the governorships of Mississippi and Kentucky, he remains true to form. He has just flown in from Florida, where he'd spoken to his usual audience—Democratic high rollers—and he seems to still be flying. Plopping himself on a couch, he immediately launches into a high-voltage, somewhat hyperbolic account of his tenure at the DNC.

"Look, we'd love to have kept the two southern governorships," he begins, "but as it relates to what I worry about every day—the 270 electoral votes—it's not a factor."

Not all of his fellow Democrats are so sanguine. Just that day, U.S. Rep. Bennie Thompson (D-Miss.) told the congressional newspaper *The Hill* that "McAuliffe is out there on his own agenda, which does not involve the South."

Thompson's not entirely wrong. McAuliffe has indeed shifted the focus of the national committee to the coming presidential contest—that is, to the 17 to 21 almost entirely non-southern "battleground states" that could go either way in November 2004. "We've always had our hands tied by the fact that we had to care about all 50 states; we were afraid to do targeting," says one veteran party operative. Under McAuliffe, though, targeting has come to the DNC with a vengeance. And it's about time.

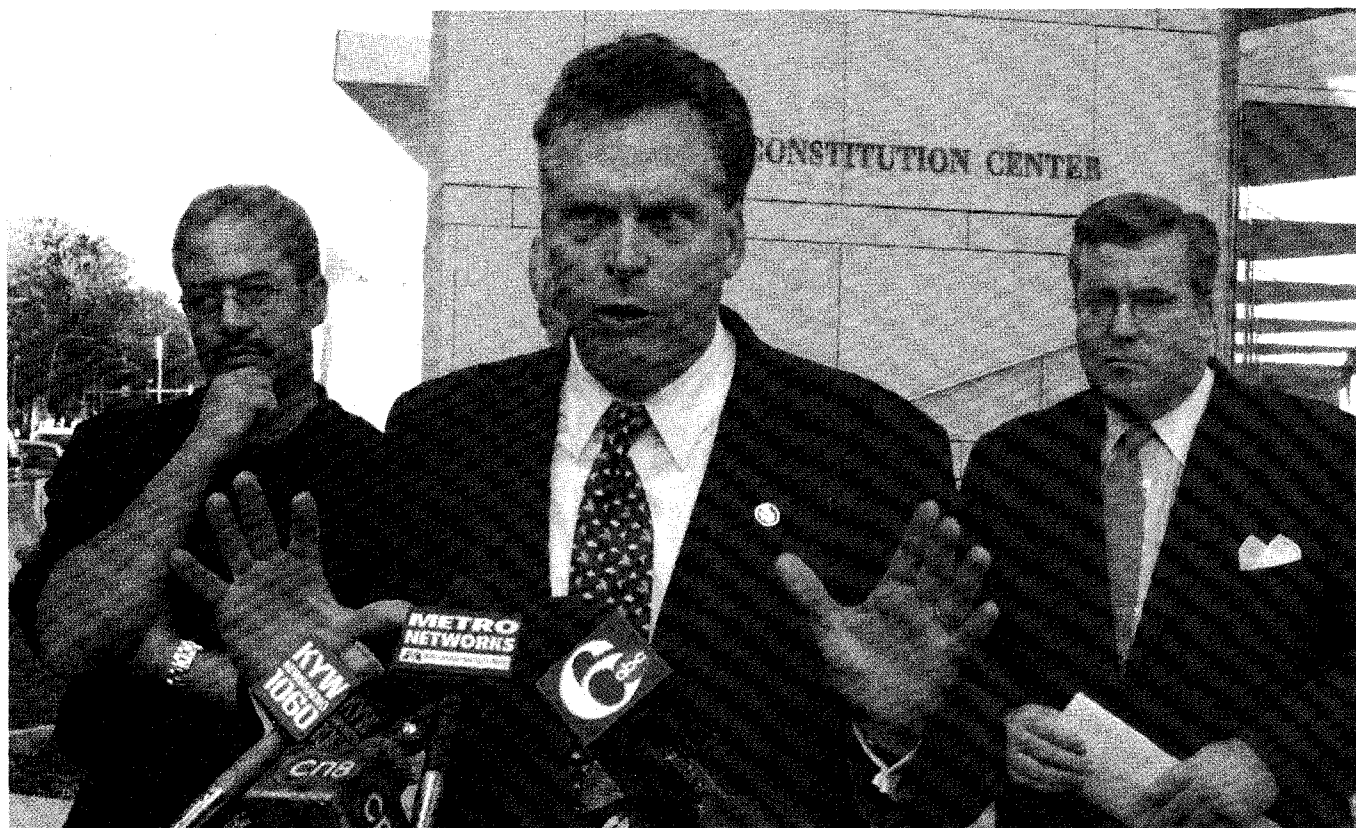
Working largely under the radar, McAuliffe has actually made the DNC better prepared for a presidential election than it may ever have been. While the innovations in fund raising and communications of Howard Dean's presidential campaign and MoveOn.org have been widely noted, the analogous changes at the DNC have largely escaped attention. So, too, has the ramping up of its 2004 field campaign, which, under the direction of general election strategist

Teresa Vilmain, is taking place earlier than ever before.

Part of the reason that the DNC changes have been shrouded in obscurity, however, is the committee's continuing inability to put forth a really powerful message to the party faithful. At bottom, the successes of both Dean and MoveOn are a function of their strong stance against the Iraq War—a stance that McAuliffe, constrained by the party's divisions on the issue, felt incapable of taking. The committee's online critiques of the Bush administration lack the punch of those coming out of the Center for American Progress, the new progressive policy and communications operation headed by former Clinton Chief of Staff John Podesta.

Indeed, much of the good news for Democrats these days is coming from a variety of organizations (dubbed "527s" in the argot of election law) that have been set up to do the kind of campaign work that, in theory, the DNC used to perform but which the funding restrictions of the McCain-Feingold campaign-finance law now make impossible. One such piece of good news came in the form of the re-election of Democratic Philadelphia Mayor John Street—in a state that McAuliffe argues is more important than Kentucky or Mississippi. "We had a very good night in Pennsylvania," he effuses. "We need those 21 electoral votes."

Street's victory was, in fact, a big deal. Two months before election day, polls showed Street to be extremely vulnerable. Then came revelations that the FBI was bugging his office, which unleashed a wave of indignation at John Ashcroft and the FBI within the city's huge black community. But more important in terms of the implications for 2004 was the massive voter-registration drive in black and Hispanic Philadelphia. The first project funded by Partnerships for Working Families, a nationwide voter-mobilization program set up in the wake of McCain-Feingold, registered a stunning 86,000 new voters. In a city of 1.5 million residents, that's mind-boggling. Should it portend equivalent successes for the 527s just now gearing up, the turnout of Democratic base voters in battleground states next year could soar.



Hands On: Terry McAuliffe (center) in Philadelphia on Nov. 3, campaigning for incumbent Mayor John Street

McCain-Feingold has redefined what the national parties can do (though the pending Supreme Court decision on it may redefine the redefinition). No longer are the parties able to solicit major donations for such “party building” work as voter-registration and get-out-the-vote campaigns. Now, though Democrats have created a new way to keep the party field campaigns funded, much of that work has passed to the 527s, and the party has been compelled to raise money in increments no greater than \$2,000 per individual donor.

In theory, McCain-Feingold should prove McAuliffe’s undoing. The chairman has always been a big-money guy, from the moment, two decades ago, when he went to work for Tony Coelho, the California congressman who brought unprecedented sums of corporate cash into the Democratic Congressional Campaign Committee’s coffers. As the DNC’s finance chairman for much of Bill Clinton’s presidency, McAuliffe made sure that Clinton wasn’t wanting for funds in his ’96 re-election campaign. When Al Gore was all but out of money in the summer of 2000, McAuliffe put together a nice \$26.5 million dinner for him. And when the national chairmanship came open at the start of 2001, it was the core of the party’s establishment—Dick Gephardt and Tom Daschle, John Sweeney and Gerald McEntee, Gore and the Clintons—that anointed McAuliffe.

Progressive Democrats, though, were uneasy with the choice. Neither Gephardt nor Daschle was able to mount an effective opposition to George W. Bush’s surprisingly radical presidency, and as their national chairman, the Democrats were saddled with a plutocrat-coddling fund-raiser when what they needed was a resonant populist voice. McAuliffe’s voice was plenty audible, but like the rest of the party lead-

ership, he had nothing to say about the looming war in Iraq.

The discontent with the chairman’s tenure exploded in the aftermath of the 2002 election defeats. In the face of Bush’s radical turn rightward, the party had failed to articulate a compelling critique or alternative. “Bring me the head of Terry McAuliffe!” Arianna Huffington wrote. Another liberal columnist (me) recommended stringing McAuliffe by his heels over one of Washington’s many traffic circles.

But we critics missed what he was actually doing.

“WHEN I CAME HERE IN 2001, I WAS HORRIFIED,” MCAULIFFE says. “We were \$18 million in debt. We were leasing space. We had 400,000 donors; their average age was 76! [At this, DNC Press Secretary Tony Welch interjects that he thinks the age was 67, but McAuliffe is on a roll.] Fifty million people had voted for Al Gore, and I could not go to my desk and pull up one voter from the Gore campaign. Not a single voter file was left in the building. Then, in 2002, I lost 80 percent of our disposable income with McCain-Feingold. So we changed all that.”

And, to a large extent, he has. For reasons not just of legal but also of strategic necessity, the big-money guy is cultivating the grass roots. McAuliffe made two critical decisions shortly after he became chairman. The first was to devote major resources to building a small-donor list. The second was to assemble a master voter file, with the names, addresses, voting history and demographic particulars of every one of the nation’s registered voters. The Republicans had long since had both.

In his first two, pre-McCain-Feingold years as chairman, McAuliffe retired the \$18 million debt and raised an addi-

tional \$25 million with which he bought and rehabbed a Capitol Hill building that will serve as the party's new headquarters when completed this December, and acquired the technology and the lists to reach donors and voters. The committee's techies dubbed the donor and activist list—which has grown from 400,000 names to well over a million—"Demzilla." Already the donations coming in from Demzilla, though they average just \$38, bring in enough revenue to cover the DNC's operating expenses. McAuliffe is unsurprisingly bullish on its potential, announcing, "I will raise \$100 million on Demzilla!"—the amount of soft money the party raised in the 2000 election cycle.

Also notable is the DNC's creation of DataMart, its file on the nation's 158 million registered voters. Historically, lists of voters have been kept by state parties, individual campaigns and commercial list vendors. At the end of many campaigns, the results of the phone polling and precinct canvassing that the campaigns have done on voters—often a pretty fair profile of those voters' politics—are carted away by consultants or simply trashed. As for the state parties, most have lacked the technical capacity to maintain these lists. DataMart, ideally, will fix all that. "We had 27 million incorrect addresses and phone numbers," McAuliffe marvels. "In Florida alone, 1.6 million were wrong."

is likely to emerge from the primary season battered and broke. At that point, Bush will have at least \$200 million on hand for media buys. "In 2000, Al Gore was dark," McAuliffe thunders, meaning that the vice president ran no television ads because he didn't have the money, "for 92 days!" Such darkness, McAuliffe vows, will not descend on 2004's nominee. "We will have tens of millions in the bank the day we get a nominee. On March 10, or whenever it is, we'll give the nominee \$25 million." In the next breath, McAuliffe whittles the figure down to the \$18.6 million the law permits the party to transfer. But his point is that such funding has never gone to the nominee "before September or October of election year."

McAuliffe's fund-raising success may have to do less with anything Democrats support than with something—or someone—they oppose. George W. Bush has provided more incentive for Democrats to give money to their party than Bill Clinton did. "I'm sitting here with \$10 million in the bank," McAuliffe notes. "In the first nine months of 2003, we've outreached our totals for '96 and 2000" (the last two presidential election years). "And that's with a garbled message! When I have a nominee and we got a message, it's gonna be great!"

THE "GARBLED" MESSAGE SEEMS TO DRIVE MCAULIFFE A little batty. "Nobody wants a nominee more than I do, be-

"Only half our county chairs even had computers," says Denny White, the chairman of the Ohio party. "Now they all have computers with good voter files on them."

As election day loomed in 2002, the DNC was racing to get DataMart in working order, and attempted to use it in two last-minute experiments. In New Hampshire, working with the senatorial campaign of outgoing Gov. Jeanne Shaheen, the DNC developed a profile of a likely Shaheen voter and identified 60,000 of them for outreach. But time ran out before the Shaheen campaign could contact them. In Arizona, the DNC was able to identify areas of Tucson where voters were likely to support the gubernatorial campaign of Democratic nominee Janet Napolitano but where turnout had been historically light. The campaign put late money into Tucson voter mobilization, a move that's credited for Napolitano's victory.

The party has now cleaned up the lists and is making them available—along with new technology and newly trained technicians—to the various state parties. Predictably, Democratic state party chairs are among McAuliffe's biggest backers. "Only half our county chairs even had computers," says Denny White, the chairman of the Ohio party. "Now they all have computers with good voter files on them." The battleground states are also on a McAuliffe-accelerated calendar to get their coordinated campaigns—the field campaigns for the presidential and other party nominees—up and running. The DNC has directed the parties to do their hiring this winter (historically, hiring takes place in the summer of an election year) so that the coordinated campaigns will already be in place when the party's nominee emerges from the primary process in March.

McAuliffe plans to deliver another gift to the Democratic nominee this spring. The eventual winner, McAuliffe fears,

cause right now, we've got nine voices on Iraq and tax policy," he says. He is plainly pleased that "we'll have a nominee by March 10" or thereabouts; until then, he doesn't really have a distinct product—save Bush hatred—to market.

What gets sacrificed in this rush to judgment, though, is voters' ability to get to know the candidates. Nationally, voters really don't focus on them until the New Hampshire primary. But the entire primary season following New Hampshire is compressed to five or six weeks by McAuliffe's fast-forward calendar. McAuliffe defends his calendar by noting that this year, some of the states voting right after New Hampshire—South Carolina and New Mexico, particularly—have large minority electorates. But diversity, while good in itself, is no substitute for deliberation.

McAuliffe's critics question more than just his accelerated calendar—doubting, for instance, whether the DNC's online presence resonates as deeply as it could. "Terry looks at Demzilla as a profit center," says one techie who's worked with the DNC. "Howard Dean's Web site gives his supporters something to do. Somebody in Peoria said, 'I want to build a Peoria for Dean Web site.' The campaign manager said, 'Great.'" At the DNC, there's no such two-way street when it comes to the flow of information. "They mainly want to clean up the state voter files and own the e-mail addresses of registered Democrats," the techie continues. "These are great ideas—but then what?" The DNC is plainly reaching more Democrats than ever before, but when it comes to creatively engaging its rank and file, it is not in the Dean campaign's league.

McAuliffe argues persuasively that the DNC chairman

has no right to formulate a position for the party. Yet Democrats even have trouble coordinating the messages they agree on. The culprit here, says McAuliffe, is a system in which elected officials view themselves as individual entrepreneurs, particularly because they have varied constituencies and funding bases. "You're not going to tell House members and senators what the message is," sighs McAuliffe. "It's just not gonna happen."

One Democratic operative acknowledges, "It's tough for the chair of the DNC, without the force of the White House, to bring congressional leaders together and say, 'This is the message.' But he does need to set up a system where governors, mayors, senators, congressmen can all put out a message they agree upon. I made this case to McAuliffe—and it wasn't like it was rejected."

Neither, however, has it happened.

THIS YEAR, NO ACCOUNT OF THE CHANGES IN THE Democratic Party can be confined to the Democratic Party. Since McCain-Feingold blocked such major donors as unions from financing voter registration and media buys, a number of 527s have arisen to do such work outside the formal structure of the party. And though these organizations have been called into existence by the exigencies of campaign-finance law, they may be better suited to mobilizing the Democratic base, both for this election and the long term, than the official party.

The central figure in the privatized party is Steve Rosenthal, until recently the political director of the AFL-CIO. One of federation President John Sweeney's first hires, Rosenthal transformed labor's political program, increasing both the share of union voters in elections and the percentages by which those voters supported Democratic candidates.

Today Rosenthal heads two key 527s: the labor-backed Partnership for America's Families, which financed the astonishing registration program in Philadelphia, and the more broadly funded America Coming Together (ACT). Both organizations will register, propagandize and get out the votes of blacks, Hispanics and working women. Partnership has a \$12 million budget through November '04; ACT—which has received \$10 million donations from several wealthy individuals, including George Soros—is budgeted to spend \$98 million.

During Rosenthal's tenure at the AFL-CIO, Gerald McEntee, president of the American Federation of State, County and Municipal Employees, chaired the federation's political committee. But McEntee had a falling out with Rosenthal and Service Employees International Union President Andy Stern over the establishment of these 527s, so he set up yet another, Voices for Working Families, with a budget of \$20 million and a mission essentially indistinguishable from the other two. Whatever rift may have existed at the top, however, a trip to the fourth floor of Washington's 888 16th St.—the building directly across the street from the AFL-CIO—shows the two organizations working amicably at the opposite ends of the same hallway. "There's not enough money in Steve's world or mine to handle everything," says Suzy Ballantyne, Voices' executive director, "so it's very easy to divide things up. When we sat down to talk about Florida, it took all of three minutes to decide where we'd go first and where they would."

Yet another organization, Grassroots Democrats, is perhaps the purest artifact of McCain-Feingold. Its mission includes telling state Democratic parties where the 527s are canvassing so that the parties won't duplicate their efforts. (Sharing that information without an intermediary violates the law.) Headed up by Amy Chapman, a former Rosenthal deputy at the AFL-CIO, Grassroots Democrats exists chiefly to funnel contributions to state and county party committees, a function performed in pre-McCain-Feingold days by the DNC.

Then there's America Votes, also on the same floor as the 527s, a group where progressive organizations—the Sierra Club, the National Abortion Rights Action League (NARAL), the NAACP Voter Fund, unions, the other 527s among them—meet to coordinate their campaign activities. "Historically," says Rosenthal, these groups "have been tripping over each other. Now we'll know that if [NARAL] is reaching 100,000 voters in Orlando, ACT can look elsewhere."

Finally, because the \$18.6 million that McAuliffe will hand the eventual Democratic nominee will buy nowhere near enough ads to counter Bush's, longtime liberal strategist Harold Ickes has established the Media Fund, which will raise between \$50 million and \$80 million, says Ickes, "to produce and run issue ads between March and the Democratic convention" (in July).

Rosenthal is not convinced that all Democratic Party officials share a strategic commitment to building a party on the ground. "Five years ago," he recalls, "I met with the state party chairman from a battleground state. I said, 'Build a real party. Start in three cities; the AFL-CIO will train your organizers and pay them.' I never even heard back from him." Now Rosenthal runs organizations that can train and pay those organizers no matter how benighted the local party leaders may be.

Some argue that the new organizations, and the DNC's own improved outreach efforts, will lead the Democrats back to a more responsive party structure. "When one guy used to walk the ward, he could remember who wanted what," says Laura Quinn, whom McAuliffe hired to assess the DNC's technology. "Now the tools of individual communication allow you to develop that memory again."

It's worth remembering, though, that the old big-city machines weren't exactly models of bottom-up democracy. At their best, they serviced their constituents' needs while setting policy in a thoroughly top-down manner. Still, at a moment when the disconnect between Americans and their politics is as wide as it's ever been, Rosenthal's canvassers and McAuliffe's voter files give the Democrats a chance to forge the first connection they've had in decades with millions of estranged or merely vanished voters.

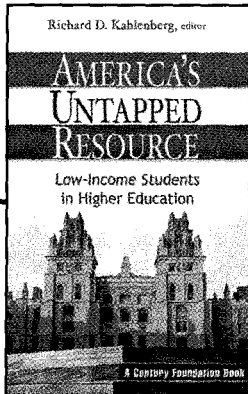
Not to mention a decent shot at deposing the president. "I will be defined by one race," McAuliffe says. "Do we beat George W. Bush or not? That's what I'll be judged by."

Republican mastermind Karl Rove has made clear that he intends to add many of the 4 million currently unregistered evangelical Christians to the GOP's ranks by next November. What McAuliffe needs to do, with Rosenthal's help, is clearly exceed that total and keep his candidate on the air. If he succeeds, his judges should go easy. ■

HAROLD MEYERSON is the Prospect's editor at large.

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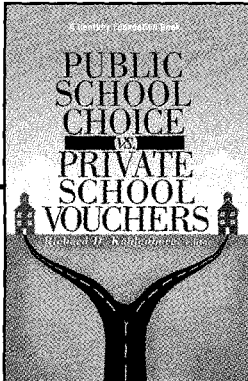
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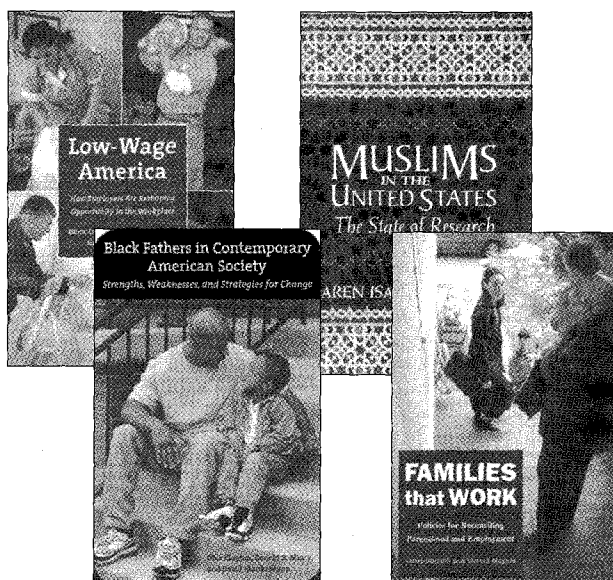
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DECEMBER 2009

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One unlikely benefit of the fiscal squeeze on the states is a dramatic rethinking of the "lock-'em-up" view regarding criminal justice. At least 25 states have reformed their mandatory minimum laws. There's new support for creative diversion, treatment, parole and re-entry policies. This special supplement explores both the politics and the substance of this new trend, as well as successes and failures. It is one in a series of in-depth reports on public issues that together articulate a progressive agenda.

It's not that onetime hard-liners are more compassionate about the deeper causes of crime. Rather, states can no longer afford to keep building prisons. The result is a surprising and heartening convergence of views—and strange-bedfellow alliances among prosecutors, judges, police, legislators and reformers—in favor of alternatives that are more cost-effective than long prison terms in preventing crime and reducing recidivism.

This special report was edited by Robert Kuttner and prepared in partnership with the JEHT Foundation.

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Crime and Redemption

States are using fiscal scarcity to find more creative approaches to reducing crime. The most notable holdout is Attorney General John Ashcroft.

BY DRAKE BENNETT AND ROBERT KUTTNER

BECAUSE THE TEXAS LEGISLATURE IS IN SESSION A MERE five months out of the year, serving as a Lone Star state representative is not the most time-consuming of jobs. It's hardly unusual, therefore, that Ray Allen, the Republican chairman of the House Corrections Committee, has a couple of careers on the side. When he's not serving the good people of Dallas County, Allen runs the Academy for Firearms Training, where Texans who want to apply for a concealed-carry handgun permit can go and receive the required instruction. He also, along with his chief of staff, heads a company called Service House Inc., whose sole client is the National Correctional Industries Association (NCIA). On the NCIA's dime, Allen lobbies Congress, the White House, the Department of Justice, and the Office of Management and Budget on the virtues of prison privatization. Oddly enough, this is actually legal.

All of which suggests that Ray Allen may not be the legislator one would expect to have written a law mandating that first-time low-level drug offenders get treatment instead of prison time. Nor would one expect that in Texas—a state that carries out one-third of the executions performed in this country and has a museum dedicated to its prison system—both houses of the Republican-controlled legislature would pass Allen's bill unanimously, or that the Republican governor would sign it into law. But in June, that's exactly what happened. As Allen put it to the *San Antonio Express-News*, "This is the first time I've agreed with liberal Democrats on anything."

One might also suspect that if such tender mercies are prevailing in Texas, there must be some sort of national trend, and in that one would be correct. Texas is far from alone in its reconsideration of the criminal-justice policies of the past 20-odd years. Last year, on Christmas Day, Michigan's outgoing governor, John Engler, signed three bills repealing the state's mandatory minimum drug laws, which had been the most punitive in the nation. Colorado has given judges discretion to put drug offenders on probation instead of sending them to prison, and states like Missouri and Delaware have reduced the sentences for drug offenses and low-level felonies. Arizona and Washington are channeling their savings in incarceration costs from reduced drug-offender sentences into treatment programs. Kansas is doing the same, except it's actually taking the money, \$6.6 million, out of state general funds. Indiana has

created a "forensic diversion" program that allows judges to send nonviolent offenders to treatment programs if mental illness or substance abuse is determined to have contributed to the crime. And in what could prove the most ambitious reform, Connecticut's legislature is debating a bill that would divert probation and parole violators away from prisons while investing the savings in infrastructure programs for neighborhoods with the highest crime rates.

Why the change of heart? It's not that "lock-'em-up" types have suddenly turned into kindhearted liberals. Rather, the state fiscal crisis has put an end to the prison boom. As this special section of *The American Prospect* recounts, the straits of the states have created some strange bedfellows—and some rare opportunities. Reformers have termed the concept "justice reinvestment." A dollar diverted from prison construction, or from the expense of housing inmates serving ever-longer sentences, can actually bring about a net reduction in crime. Why? Because other approaches are not only much less expensive than incarceration; dollar for dollar, they actually work better.

In theory, society could reduce crime by locking up every first-time offender for life. But even the hardest of the hard-liners knows this approach is neither just nor fiscally possible. So strategies long commended by reformers are getting a second look.

On the front end, these approaches include diversion efforts into drug treatment, restitution and a promising concept that goes far beyond "community service," known as "compensatory justice," in which youthful offenders become part of a community process that includes the victims, and often neighbors, as well as their own families. David Reed, a Chicago-based expert on compensatory justice, tells of a young vandal arrested for throwing a rock through the window of a truck belonging to a construction contractor. The furious contractor reluctantly agreed to become part of the community-mediation process, under the Community Panels for Youth program organized by Northwestern University's Children and Family Justice Center. Eventually, the contractor hired the young offender, who, as far as we know, never committed another crime. All such programs may not have such storybook endings. But for young first-time offenders, they often promise better results than prison. Compensatory justice, an approach as old as the dispute-resolution systems of tribal and traditional societies, has

new support from criminal-justice professionals and courts.

Post-incarceration, the new approach uses much more intensive programs to re-integrate ex-offenders into society. At the broadest level, the savings of criminal-justice dollars can be reprogrammed into other social investments—in education and job training—that give at-risk individuals a reason to pursue lives that do not include crime. Many conservatives, with their strong beliefs in the power of economic incentives, have become part of this reform coalition.

STANDING AGAINST THIS WAVE OF REFORMS, HOWEVER, is one conspicuous holdout: the federal government. In September, Attorney General John Ashcroft ordered that, almost without exception, federal prosecutors were to go for the maximum sentence in all cases. Shortly prior, he had announced that he promised to keep tabs on any judges who hand down sentences lighter than those specified in the federal sentencing guidelines. But, as tempting a target as John Ashcroft always is, the recent federal get-tough impulse isn't just his doing. The tracking of lenient judges, for one, wasn't his idea; rather, it was mandated by an amendment tacked on to the Protect Act of 2003 (the bill creating the Amber Plan) by Florida congressional Republican Tom Feeney. Ditto for the demand that the U.S. Sentencing Commission revise its guidelines to limit judges' sentencing discretion. In other words, the Republican majority in Congress is at least an equal partner in Ashcroft's current campaign.

The split between state and federal policy has not gone unnoticed. In late September, a *New York Times* article addressed the nation's "somewhat contradictory national crime-fighting agenda." But how will these two divergent strategies affect each other? Will the federal government stamp out what may be the only positive legacy of the current state budget mess? It's hard to tell for sure, but many of the changes at the state level look more like durable policies than temporary fixes, and many of the officials who have implemented them express a stubborn resistance to the idea of letting themselves get led down the path toward yesterday's punitive policies.

However, the federal government can buck the states' trend because, quite simply, it doesn't have to play by the same rules. And federal revenues and mandates still constrain what states may do in their own criminal-justice reforms. Meanwhile, many reforms will fail, if they are done on the cheap, in the context of dire budget emergencies. It is cheaper—and more cost-effective—to run a good re-entry program than to keep an inmate incarcerated. But it is cheaper still to run no re-entry program at

all, even though the real social costs are higher.

At roughly \$25,000 per year per inmate, incarceration is expensive—much more expensive than, say, drug treatment or "community corrections" alternatives like halfway houses or parole supervision. But as Michael Lawlor, a Democratic Connecticut state representative and co-chairman of the Connecticut General Assembly's Judiciary Committee, points out, "The federal government has a couple of luxuries: It can print money and it can pick the cases it wants. The states have to try everyone the cops arrest. At some point, [the federal government] will probably be overwhelmed and will have to rethink [its] policy." But, as he admits, that's not likely to happen very soon. Unlike nearly every state, the federal government doesn't have to balance its budget, and appropriations for the Federal Bureau of Prisons are a sliver com-



pared with, say, Social Security or the military. In states, on the other hand, corrections usually ranks as a big-ticket item, just below health insurance and education.

State officials don't pretend that they're motivated by a newfound concern for the plight of the incarcerated. As a spokesman for Nebraska state Sen. and Judiciary Committee Chairman Kermit Brashear bluntly put it, "All this is absolutely due to the state fiscal crunch." James Austin, a criminologist at George Washington University's Institute on Crime, Justice and Corrections, sees things similarly. "I don't think there was much concern about this until the money started to be a problem for [the states]," he says. "There were a few little blips, I guess ... but it's always been a money issue more than an issue of, 'Are we doing the right thing for society?'" Unsurprisingly, then, the majority of the measures that states are exploring are administrative, and for every progressive parole policy there are several proposals along the lines of staff layoffs and farming inmates out to other states' systems. In many states, treatment programs are getting cut along with prison budgets, and in a few

(including aforementioned states like Arizona and Texas), inmates are even being fed less.

The strictly fiscal explanation suggests that there's a very straightforward relationship between federal and state policy. In the words of New York City-based criminal-justice policy analyst Judy Green, it's "money, money, money, money." As she points out, "The drug war has been greatly fueled by federal initiatives that have provided states with money, and there are other initiatives that have affected state policy outside the drug issue." Perhaps the best-known example is the 1994 Crime Bill, which, among other measures, made \$8 billion available to the states for prison construction—but only if they adopted strict "truth-in-sentencing" requirements, namely more draconian sentences.

So the federal money has been a mixed blessing. The Crime Bill didn't, for example, give states any money to run the prisons they built. The result is what Daniel F. Wilhelm, director of the state sentencing and corrections program at the Manhattan-based Vera Institute of Justice, calls "the hangover effect of the money they got the last time around. You hear state legislators saying, 'We forgot that these facilities cost a lot to run, too.' So now you have prisons that are empty, are being mothballed." But closing them down is tricky, as prison-guard unions and—in a sort of reverse NIMBY-ism—surrounding communities that see the prisons as sources of income are unafraid to make their displeasure heard.

FOR YEARS CRIMINOLOGISTS AND ECONOMISTS HAVE been pointing out the enormous costs of our hard-time policies. The authors of one RAND Corporation study looked at mandatory minimum sentences for cocaine-related crimes and calculated that focusing on treatment would reduce serious crimes "on the order of 15 times as much as the incarceration alternatives" per million dollars spent. And earlier this year, Steve Aos, of the Washington State Institute for Public Policy, released a widely discussed report concluding that taxpayers now spend more to incarcerate drug offenders than the value of the crimes that the incarceration prevents.

And indeed, those states that have moved toward less punitive sentencing have seen savings. In California—where the passage three years ago of Proposition 36 was a harbinger of the popularity of treatment programs instead of incarceration for low-level drug crimes—state officials estimate that they'll cut their prison population by nearly a quarter and save \$250 million over the next three or four years. Texas looks to save an estimated \$30 million over five years. Washington Department of Corrections Secretary Joseph Lehman estimates the changes in his state have saved \$43 million in the current biennial budget, and, while Michigan officials have been stingy with their numbers, the *Detroit Free Press* esti-

mates that the state will save \$41 million this year alone.

It's no wonder that right now, in Wilhelm's words, the federal system, with its maximalist ethos, "stands as this lighthouse of what not to do. Everyone in the states agrees that they hate it." And in the end, while the current reconsideration is partly fiscal, it's more than that, too. As Reginald Wilkinson, director of Ohio's Department of Rehabilitation and Correction, puts it, "We're not looking to the [Justice Department] to bail us out of this problem—which they aren't going to do—and we're not going to them for advice." For the average nonviolent drug offender, that's probably a good thing. After all, 94 percent of felonies are adjudicated in state courts, and 90 percent of felons are held in local or state prisons.

The fact is, as Marc Mauer of The Sentencing Project puts it, the federal government is "very much out there even for mainstream people in the field. If you go to a conference and talk to corrections people and prosecutors, there are very few voices out there advocating dramatically stepped-up punishment policy. If the point is to get

tough, we've already gotten very tough over the past several years." With crime rates down and polls showing voters less concerned with the issue, politicians are slightly less paranoid about getting the Willie Horton treatment. Lawlor, the Connecticut state representative, sees the states' sentencing reconsideration as "two parts fiscal crisis, one part criminal-justice policy. It's happening at the same time as there are a lot more people with a lot more enlightened view of criminal justice." In

Lehman's view, "Budget policies become a lever, they force people to ask the question of whether we're spending our money right, and I think that's healthy." Former Michigan Gov. William G. Milliken, who signed the state's mandatory minimum sentences into law in 1978 and has spent the past six years campaigning against them, goes further. "I think, or I'd like to think, that not only are fiscal considerations affecting willingness of change, that there's also a sense of fairness of what is right and what is just, and a recognition that what we've done in the past isn't working," he says.

In this respect, the Ashcroft approach represents ideology overpowering facts on the ground. The states offer a potent counterweight. A generation ago, in the era of New York's Rockefeller laws and as recently as California's three-strikes law, the states were hard-liners and Washington was somewhat more enlightened. It is a double irony for an administration that professes to believe in federalism that supposedly conservative states driven by fiscal crisis are pursuing more progressive and effective policies that Washington opposes. ■

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ROBERT KUTTNER, a Prospect founder and co-editor, edited this special supplement.

Attorney General

**Ashcroft's approach
represents ideology
overpowering facts
on the ground.**

The Research Wars

Hard-liners gave long prison sentences credit for the drop in crime. They were mostly wrong.

BY MATTHEW YGLESIAS

Walking to my hotel through Amsterdam's deserted early morning streets, I felt a sharp poke in my back and heard an accented voice behind me. "Do you know what this is? It's a knife. Now, you are going to give me your money or else I will stab you,

and kick you, and kill you, and throw you into the river."

"That's a canal, not a river," I replied, before a second poke persuaded me to hand over the cash.

In 1985, James Q. Wilson wrote, "There aren't any liberals left.... They've all been mugged by now." Wilson had a point. Thoughts of humanitarian treatment for the perpetrators of violent crime flew out the window. If sending muggers to prison for life could make the streets safer, so be it.

David Mulhausen, who studies crime at the conservative Heritage Foundation, concurs. "I'm a first-strike guy," he says. "You rob a bank, you should go away for the rest of your life. People who burglarize aren't accidentally walking into someone's house."

Things haven't quite come to that in America, but after undergoing something of a collective mugging between 1963 and 1973, when the murder rate more than doubled, the United States began a massive expansion of its prison population unparalleled in the democratic world. The number of people behind bars in the United States grew more than 600 percent in the past 30 years, while the population grew just 72 percent. Largely, however, it is the result of tougher sentencing criteria and longer prison terms.

The psychology behind this expansion is easy to understand, but assessing whether or not it works is a much more difficult task. Simplistic analyses of the relationship between crime and incarceration can produce pretty much any result the investigator desires.

In an October 2000 *National Review* article, Eli Lehrer, arguing that the expansion of the prison system from 1,148,702 combined state and federal inmates in 1990 to 1,893,115 in 1999 was well worth the price, wrote, "Had the 1999 crime rates been the same as those of 1990, America would have seen about 7,800 additional murders, 20,000 or so additional rapes, and nearly a quarter-million more armed attacks."

A prison skeptic, however, could just as easily point out that in 1985, when 744,208 people were behind bars, the murder rate was 7.9 per 100,000 people, and that nine

years later, doubling the number of incarcerated to 1,476,621, the murder rate *increased* to 9.0 per hundred thousand. By 1993 the murder rate was 9.5.

The problem, as Berkeley law professor Franklin Zimring points out, is that of all the factors affecting the incidence of violent crime—the proportion of young men in the population, the rate of incarceration, the availability of jobs, the popularity of crack cocaine—"the only thing that's monotonic is that you have increasing imprisonment." In other words, every year the number of Americans behind bars goes up while the crime rate fluctuates due to other factors. Nevertheless, Zimring notes, "It would be astonishing if locking up 2 million people had zero effect on the crime rate."

As Mulhausen says, this is basically a matter of common sense. "If you put an offender behind prison," he explains, "he can't rape or rob you." This is known as the "incapacitation" effect of incarceration. Combined with the deterrence effect of hard time, prison does reduce crime.

THE TROUBLE WITH PRISON ISN'T THAT IT DOESN'T WORK; the trouble is that it doesn't work very well but *does* cost a fortune compared with other ways of reducing crime. Feeding, clothing, housing and guarding a convict for a year costs more than \$20,000, plus the price of physically constructing the facilities in which the expected transformation takes place. Moreover, while each additional year you add to an offender's sentence costs the same amount (until the offender gets old and develops serious medical problems, at which point it increases), the anti-crime benefits of each additional year are less than the costs of the year before. At this point, trying to control crime by building more prisons is like trying to blow your nose with \$20 bills: It works, but it's not a very good idea.

The case for rolling back incarceration, then, isn't that prisons haven't brought down crime rates, but that if we spent the money more wisely, we could bring crime down more effectively and even save some cash to spend on other priorities. Alternatives exist on both the front and back

ends of the criminal justice system. Pre-prison, convicts can be "diverted" into nonprison programs like mandatory drug treatment that are much cheaper than full-scale prisons. Post-incarceration, shorter sentences can be combined with properly supervised parole programs that replicate the crime-reduction effects of imprisonment at a fraction of the cost. In Texas (Texas!), a system of graduated sanctions for minor parole violations is credited by officials with an 8,000-person reduction in the state's prison population. Other re-entry programs aimed at integrating ex-offenders into the law-abiding community can reduce recidivism.

Diversion looks most promising in the case of the non-violent drug offenders who've accounted for the bulk of the recent growth in the prison population. Since 1980, the number of drug dealers behind bars has increased 15-fold, but drugs are easier to obtain than ever. The price of heroin is down 95 percent, cocaine 90 percent. To actually reduce drug use (worthwhile on its own, vital for violent-crime reduction) through longer and surer imprisonment, we would need to send an unimaginable number of people to prison. The drug business is a business like any other—if you eliminate a salesman without eliminating the demand, the salesman's boss is just going to hire someone else. Drug treatment, by contrast, actually works because a reformed

does, in fact, reduce crime. Using multiple regression analyses of crime and incarceration rates over the past few decades, as well as many other relevant variables from all 50 states plus the District of Columbia, he credits about 27 percent of the 1990s drop in violent crime to the prison buildup.

His research indicates that prison is actually somewhat more effective than some earlier studies had claimed. Spelman's findings improved on previous research methods that had calculated only the incapacitation effect without measuring the importance of deterrence.

SO IS THE RIGHT VINDICATED? HAVE CONSERVATIVES finally found a government program they can love? According to Spelman, no. "It doesn't make any sense," he says, "to put more people in prison." The problem is this: The "elasticity" of prison with respect to violent crime is calculated to be approximately -0.4, meaning that a 1 percent increase in the prison population will lead to a 0.4 percent decline in the crime rate. In a country with only 200,000 people incarcerated, this looks like a pretty good deal: Add 10,000 new prisoners and the increased deterrence and incapacitation will give you a 2 percent drop in crime. With 2 million people behind bars today, however, you'd need to lock up 100,000 additional offenders to achieve the same effect, at around 10 times the cost.

The notion that jobs rather than jails hold the real key to crime reduction isn't just a bleeding-heart liberal fantasy—it's supported by sound social-science research.

drug user isn't automatically replaced with a new addict, and treatment programs aimed at consumption reduction are seven times cheaper than prison.

None of this is to say that prison is never the right solution, or that there are no circumstances under which increased incarceration would be an effective strategy. In contemporary America, however, we've moved well past that point. Richard Kern of the Virginia Sentencing Commission says that laws like California's famous "three strikes and you're out" rule go "beyond the point of diminishing returns" because even "career criminals have a period of peak performance." Robbery, he explains, is "a crime of the young," with incidence dropping dramatically in the mid-20s and falling to almost nothing as people move through their 30s.

Similarly, doubling sentencing length doubles (or more) corrections expenditures without doubling the deterrent effect on potential offenders. Simply putting a larger proportion of the people who get arrested behind bars is subject to diminishing returns as well, because as long as prosecutors and judges are minimally competent, they'll have made sure that the worst criminals are already locked up. Whether you look at deterrence or incapacitation, beyond a certain point prison stops being cost-effective.

More rigorous research methods support this intuitive argument. William Spelman of the Lyndon B. Johnson School of Public Affairs has done some of the best-regarded analyses of this issue and concludes that increased imprisonment

At this point, increased levels of incarceration have become so costly that most other crime-reduction outlays would be a better investment. According to Spelman, "the benefits of reducing crime by introducing another prison cell are about one-third the costs" of the crime thereby averted, suggesting that even doing nothing might be an improvement over the status quo. Zimring went so far as to suggest that even a "prison training program to teach robbers how to burglarize unoccupied dwellings" would work better than more prisons as a method of reducing violent crime.

That's far-fetched, of course, but it illustrates a larger point: Giving muggers an alternative to mugging is the best way to get them to stop. Even Heritage's Mulhausen concedes that "there's some research that shows that vocational training helps reduce recidivism."

Employment can reduce crime for essentially the same reason that more prisons do. A job incapacitates a potential offender in much the way that hard time does: Every hour you spend working is an hour you don't have free to commit crimes. And the more money you can earn on the outside, the more deterring power the threat of incarceration holds.

The notion that jobs rather than jails hold the real key to crime reduction isn't just a bleeding-heart liberal fantasy—it's supported by sound social-science research. The unemployment rate per se turns out not to be very important, but UCLA economist Jeffrey Grogger has estimated that the elasticity of crime participation with respect to

wages is -1.0, two and a half times higher than the elasticity provided by incarceration. Much, though by no means all, of the crime drop of the 1990s can in fact be attributed to the 4 percent increase in youth wages that began in 1993. Wages, of course, are influenced by the unemployment rate, so the tight labor market of the '90s and the consequent growth in wages earned by young people bear a good deal of responsibility for the drop in crime.

Working to ensure the existence of a healthy economy should be a government priority under all circumstances, but research by Peter Greenwood of the RAND Corporation indicates that there's room for efforts in this area specifically focused on crime reduction. In particular, earning potential through legitimate employment is closely linked to high-school graduation rates. Because people who can earn more money legitimately are less likely to commit crimes, boosting graduation rates ought to decrease crime. RAND tried that theory out, conducting a study in which students got money as an incentive for staying in school. This, indeed, caused graduation rates to rise, and Greenwood calculates that 250 serious crimes could be averted for every \$1 million spent on such incentives—far more bang for your buck than the prison system offers.

Besides jobs and demographic factors outside the scope of public policy (fewer young men would mean fewer criminals), several other factors remain in play. Richard Rosenfeld of the University of Missouri, St. Louis has shown that a surprisingly large component of the decline in murder rates has been a drop in the specific area of "intimate partner homicide," a fact that he attributes both to declining rates of marriage among the young and decreased social tolerance of domestic abuse.

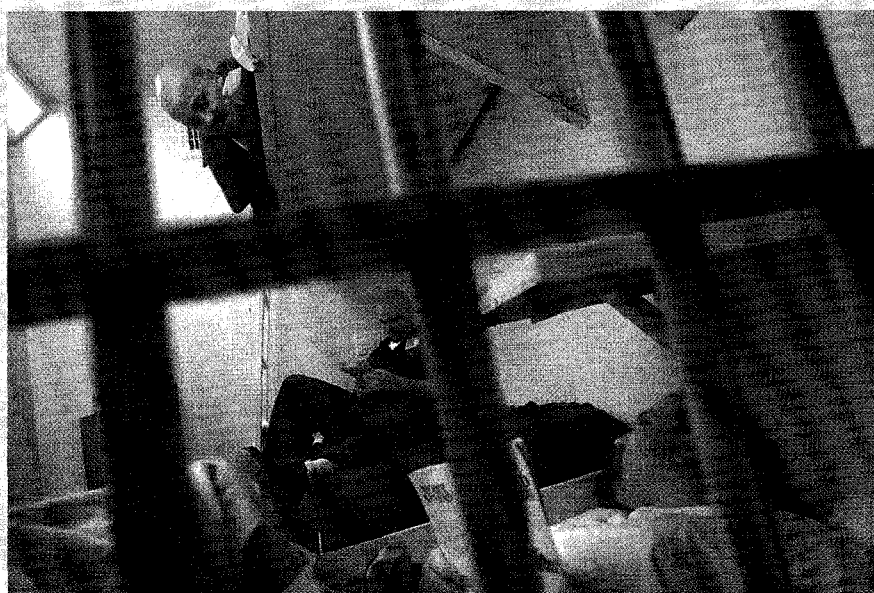
THE LAST MAJOR FACTOR IS THE WANING OF THE CRACK cocaine epidemic of the late 1980s. Indeed, all indications are that the crime drop would have started substantially sooner were not the long-term trend disrupted by crack's explosion onto the scene. Nevertheless, the country continues to have a serious hard-drugs problem that fuels violent crime through robberies of street-level drug dealers (attractive because they carry cash and work in public places), conflict between drug gangs and crimes committed by addicts to pay for their habits.

More treatment in general could be a big part of the solution, but the corrections system has a role to play here as well. Mark Kleiman, a public-policy professor at UCLA, is a proponent of "testing and sanctions" for offenders on probation or parole. As Kleiman puts it, "We say, 'OK you're now on probation for two years. You're going to come in every two weeks and piss in this bottle, and every time

you're dirty we're going to put you away for two days.' ... My guess is that after one or two sessions, people are going to decide that using cocaine is no fun."

At any given time, around 75 percent of the heavy cocaine and heroin users are under the supervision of the criminal-justice system and available for a testing-and-sanctions system. Kleiman calculates that testing and sanctions would reduce the hard-drug market by about 40 percent all told. Ten offenders could be subjected to a tough parole regime for the price of putting one man behind bars, and though testing and sanctions sounds harsh compared with freedom, it looks pretty good compared with prison.

Unfortunately, the empirical data on the crime-prevention effects of graduation incentives, testing-and-sanctions parole, and all other alternatives to incarceration is not



Crime Doesn't Pay but Taxpayers Do: Three inmates share a two-person cell in cash-strapped Shelton, Wash.

quite as thorough as the research on imprisonment itself—because only mass incarceration has been employed widely enough to be thoroughly researched. The studies that have been conducted thus far, therefore, cannot be regarded as conclusive, though they certainly suggest the existence of a better way.

There was a time when America's incarceration frenzy was good policy, and it was followed by a time in which it was at least sustainable. Today's weak economy, however, has produced a situation in which states often don't have the cash to keep the prisoners they've already got behind bars. That same weak economy has brought the end of several years of welcome decline in crime rates. We can't afford to let crime get out of control again, but we can't afford to control it through incarceration, either. Getting tough sounds good, but America needs a crime-control strategy that actually spends every available dollar as cost-effectively as possible. ■

MATTHEW YGLESIAS is a Prospect writing fellow.

Reform Done Right

A Chicago program demonstrates the logic of preparing prisoners for life on the outside.

BY AYELISH MCGARVEY

Christopher Mixen, 23, looks very much like a college student in baggy cargo jeans, clean white sneakers and an oversized navy sweatshirt. His blond hair is cropped close, and his sharp, blue eyes gaze out from behind wire-framed glasses. But clipped

to Mixen's shirt is a photo ID badge that sums up his adulthood thus far: ILLINOIS DEPARTMENT OF CORRECTIONS, INMATE. His mug shot stares out from beneath the shiny plastic.

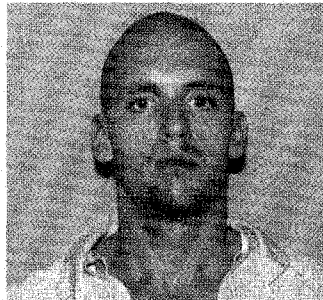
Mixen is a felon serving a four-year sentence for two counts of burglary. He is one of more than 600,000 inmates—more than the population of Washington, D.C.—who will be released from state and federal prisons this year. For newly released prisoners, the smallest logistical details can make or break their reintegration into life on the outside. In the Urban Institute monograph "From Prison to Home: The Dimensions and Consequences of Prisoner Reentry," researchers Jeremy Travis, Amy Solomon and Michelle Waul identify the "moment of release" from prison as one that has been underestimated in its importance both for individuals and for policy.

This is where Mixen comes in. Unlike most prisoners, he will spend his final eight months of incarceration in a building that more closely resembles a high school than a jail. When interviewed for this story, he had been a resident at the Safer Foundation's North Lawndale Adult Transition Center (ATC) on the west side of Chicago for 12 days. Safer is the nation's largest community-based organization serving current and former offenders exclusively. The center is located in a formerly middle-class neighborhood that by the late 1980s had become infested with drug and gang activity. For a time, it seemed like the only people moving to Lawndale were the men returning from prison.

Today the prisoners are still coming here, but something better awaits them. On the corner of Filmore Street and California Avenue, a stately, wrought-iron fence surrounds a new two-story building made of gray stone. Panels of brushed steel and glass adorn its front entrance. A smooth asphalt driveway wends its way past a basketball court and between newly planted trees and flowers. This

is the North Lawndale ATC, one of two residential work-release facilities operated by Safer for the Illinois Department of Corrections. Mixen lives here with 199 other nonviolent male offenders, all of whom are working their way out of prison. If all goes well, Mixen will leave prison

in June of 2004 with a GED, a job and some savings. And if the Safer Foundation fulfills its mission, he will never return to prison. As states around the country face huge budget shortfalls, transition programs for inmates take on importance beyond rehabilitation: Reducing recidivism results in millions of dollars saved.



Christopher Mixen, 23

AN ONLY CHILD, MIXEN WAS RAISED BY his mother, Janna, a secretary; he never knew his father. He and his mother lived

in Dixon, Ill., a small city of 16,000 located about two hours west of Chicago where one of the main attractions is Ronald Reagan's boyhood home. Mixen dropped out of high school during his freshman year and went to work as a busboy, dishwasher and line cook in various restaurants around town. Not satisfied with those opportunities, he enrolled in a vocational program and earned his Certified Nurse Assistant credentials. He worked for nine months in a local nursing home, and even received an award for his efforts in the Alzheimer's ward. "It basically said that I was the best person they had working in that unit," he explained. But Mixen's stint as a nurses aide did not last long: By his account, his employer accused him of doing drugs on the job and demanded he take a drug test. Although the test came out clean, his boss was not convinced. Mixen was fired.

In 2000, Mixen, then 20 years old and unemployed, attempted to steal a car from a local auto dealership. He was arrested for the first time and sentenced to two years' probation. Six months later, in June 2001, Mixen had another run-in with the law. "I wasn't working at the time," he says. "I was drinking, doing drugs and all that. I got a crazy lit-

ILLINOIS DEPARTMENT OF CORRECTIONS

the idea in my head that I would go out and get some money. I decided to break into a bar with a buddy of mine." Neither knew that the tavern was outfitted with a silent alarm. Both were arrested; his friend was placed on probation for a year and a half, while Mixen's second felony earned him a four-year sentence.

Remembering his first impressions of prison life, he tilts his chair back on two legs, looks out the window and pauses. He speaks slowly, his accent revealing his mid-western roots. "The first day, man. Getting out of that bus, [the guards] took the shackles off my feet and walked us through the [receiving entrance]. ... I'll always remember that. Above us was a guard on a catwalk with a shotgun. And the lieutenant out there in the yard with us yelled up: 'If they move, shoot 'em.' I didn't move one muscle. ... I was scared."

Mixen bounced around Illinois during the first 14 months of his sentence, doing time in five separate correctional facilities. He signed up for GED courses upon arriving at each location, but waiting lists were long, and often by the time he made it into a classroom it was time for another transfer. Mixen's luck changed when he drew within two years of release and became eligible to apply to a work-release program for nonviolent offenders. Competition for ATC placement is fierce: In Illinois, only 3 percent of ex-offenders have had the benefit of a work-release program. Mixen was among them. Because his hometown is located near Chicago, he was assigned to the North Lawndale ATC. On Oct. 3, he arrived at the front gates of 2839 West Filmore St. in a Department of Corrections van. "I was just happy to be here," he remembers.

ACCORDING TO THE FEDERAL BUREAU OF JUSTICE STATISTICS, the United States has the highest incarceration level in the world: Today, more than 2 million people are doing time in America. During the past 30 years, there "has been a four-fold increase in the per capita rate of imprisonment" in the United States, explained Jeremy Travis, senior fellow at the Urban Institute and former director of the National Institute of Justice during the Clinton administration. The boom was caused by, among other factors, a dramatic toughening of sentencing policies—including determinate sentencing, the abolition of parole boards, and "three strikes and you're out" laws—combined with an increase in crime, particularly drug offenses. And that boom led to another one: in the numbers of former prisoners struggling with the transition to life outside.

Making things worse for ex-cons, the tough-on-crime policies of the 1980s and '90s also corroded many prisons

rehabilitative capacities. Various interventions—including drug treatment, vocational training and basic education—have been shown to reduce recidivism, but such programs have been cut over the past decade nonetheless. According to the Bureau of Justice Statistics, only 6 percent of the nearly \$22 billion spent on state penitentiaries in 1996 (the most recent numbers available) went toward rehabilitative in-prison programs.

Now social scientists, politicians and the media are slowly awakening to the challenges facing these massive numbers of released prisoners, as well as the families and communities that receive them. Ex-offenders are mostly male, minorities and low-income. The majority of them are nonviolent criminals who served time for drug offenses and property crimes. Most have a history of substance abuse, and are without a high-school diploma or extensive employment experience. And prisoners today are spending more time behind bars than they used to, meaning they are further estranged from the families, jobs and communities to which they return.

Mixen was lucky: Only 3 percent of Illinois offenders get into work- release programs.

Many prisoners are liberated with only nominal spending money and bus fare to the county of their sentencing. Often they are released at odd hours of the night. And prisoners released during the day may travel a long distance and arrive at their destinations late at night. These scenarios make establishing early connections with family and social-service agencies difficult. What's more, prison officials do not always provide inmates with proper identification, such as Social Security cards and birth cer-

tificates, rendering job and housing applications worthless. And responding to their sudden change in status and the loss of structure, former inmates frequently experience what is known as "gate fever," a condition characterized by extreme anxiety and irritability upon release. According to the Urban Institute's study, "Released offenders tend to cope with everyday problems in ineffective and sometimes destructive ways ... leading to increased stress levels and rash, often criminal reactions."

Recidivism studies conducted by the Bureau of Justice Statistics show that the highest rate of rearrest occurs in the first six months after release. Two-thirds of ex-cons will commit new crimes within three years. Because of this, Travis and his colleagues argue that states should "front-load" existing support services to the weeks immediately prior to and following release, when inmates need them the most. Obtaining proper identification and linking people to social services outside of prison are not labor-intensive tasks, but these simple steps often make all the difference, not only for the individuals involved but for the community as well. Less recidivism means fewer crime victims. And when implemented correctly, such efforts can

save cash-strapped states hundreds of millions of dollars by eventually reducing the numbers of people in prison.

These days even some conservatives are seeing the value of this "softer" approach to criminals. In a 2001 *National Review Online* editorial, conservative commentator Eli Lehrer, then a fellow at The Heritage Foundation, reviewed findings from the Urban Institute study. Convinced by what he read, Lehrer called on conservative thinkers to get tough on crime by supporting re-entry policies. "America's burgeoning prison system has done a poor job insuring that convicts leave the prison gates ready to lead productive lives," he wrote. "... This situation needs to change. ... [C]onservatives should support four policies: improved follow-up, better drug treatment, in-prison work programs, and faith-based rehabilitation."

THE SAFER FOUNDATION WAS STARTED IN 1972 BY TWO Chicago priests to help ex-offenders secure employment upon release from prison. Today, Safer's 284 staff members assist more than 5,000 men, women and 16-to-21-year-old youthful offenders each year in the Chicago area, Rock Island, Ill., and Davenport, Iowa. According to the

comes from government contracts. Although the amount of funding it has received has stayed fairly constant during recent Illinois budget cuts, Williams had to fight the closing of one of her two work-release programs in the Illinois Legislature. "We were threatened with the closing of Crossroads, our largest program, earlier in this budget crisis," she explains. "And the way that we were able to continue funding for that program was that we could show those people who care about dollars and cents, as well as the people who care about the quality of lives, that we were working well in both arenas." She was able to illustrate, for instance, that Safer's most expensive program, the residential ATC, still costs \$2,000 less per year than regular incarceration. The eventual savings of reduced recidivism were even more compelling. "The liberal folks though are the ones that continue to carry the water. But the conservative thinkers can hear the numbers," Williams says.

CHRISTOPHER MIXEN'S FIRST 30 DAYS AT SAFER WILL be filled with logistical tasks, such as securing multiple forms of identification, as well as a number of cognitive and behavioral tests to gauge whether he is ready for

The Safer Foundation's most expensive program, the residential adult transition center, still costs \$2,000 less per year than regular incarceration.

foundation's president, B. Diane Williams, "What is necessary is to understand the need set of the individual." Some only need a foot in the door. Others need basic education or substance-abuse treatment before they will be ready to work. To accommodate the diverse needs of its clientele, Safer offers basic education courses, job-readiness classes, and an array of services in partnerships with various public and private social-service providers across the city. Job counselors make referrals for clients and help negotiate interactions with other agencies, such as welfare or housing.

The organization also cultivates relationships with private-sector employers. "We really look at our employers as the second half of our customer base," notes Safer Vice President Joy Dawson. And employers appreciate the service. Mark Henke, plant manager of the 34th Street Sorting Center for Allied Waste in Chicago, has hired at least 500 employees through the Safer Foundation ATCs. In return, he receives a steady stream of prescreened employees. If he ever has a problem with any of the employees, he simply calls his contact at Safer. A replacement arrives the next day. "We don't ask our employers to do good deeds," says Williams. "We ask them to make a business decision. That decision is to hire people who are desirous and capable of doing the job. And those people should, in fact, have a positive impact on the bottom line for the company that hires them."

Of Safer's \$17.4 million annual budget, 91 percent

work. After that, with the help of an employment counselor, he will head out into the city and find a job. (Because Illinois law bars ex-felons from working as Certified Nurse Assistants, his former occupation, Mixen is hoping for work as an auto detailer.) Once he finds work, his job counselor at Safer will call his employer every day to check on his attendance. Mixen will receive market wages, and he will pay all taxes. Twenty percent of his earnings will be paid back to the state to offset the expense of housing him. An additional 20 percent will be automatically diverted to a mandatory savings account that he can access upon release. Many use this money as a down payment on an apartment or car. As he continues to work, he will earn free time in the form of a pass that can be used away from the center on evenings and weekends. By the time he is released, he will be spending more time outside the center than inside.

Still, Mixen is anxious about the day he has to leave prison. "To be honest with you, I'm scared to go out there," he says. "I've been locked up for 14 months; this is what I'm used to." He motions out the window. "I keep telling myself, 'That's where I'm supposed to be—out there. Some guys, they go out there and within two weeks to three months they're right back in prison. ... This is their life. This is what they were born for. This ain't me. I'm ready to go out there, but I'm scared.'" ■

AYELISH MCGARVEY is a Prospect writing fellow.



Cleaning Up: Amanda Nagel (*foreground, with daughter Alexis*) waits to appear before a drug court.

Treatment with Teeth

A judge explains why drug courts that mandate and supervise treatment are an effective middle ground to help addicts stay clean and reduce crime.

BY PETER ANDERSON

IN THE MOVIE *TRAFFIC*, THE RECENTLY APPOINTED federal drug czar, played by Michael Douglas, is returning with his advisers on an airplane after viewing an interdiction site on the Mexican border. He asks them to "think outside the box" for a moment. Everyone is silent. He then asks, "What does treatment think?" Again, silence. Douglas then says, "There isn't anybody from treatment on this plane, is there?"

The criminal-justice system has been an airplane traveling without anyone from treatment onboard. Treatment has been flying without the courts. Research shows that both need to travel together: Court-enforced treatment is far more effective than both incarceration and voluntary treatment if the goal is to keep addicts from relapsing into drug habits and crime. In my experience as a judge in Massachusetts, I've found that drug courts offer an effective alternative to both the war on drugs and the opposition movement for decriminalization. The former, with its harsh sentences and lack of treatment, has been costly and ineffective in reducing addiction- and drug-induced crime. The latter, which offers treatment with little possibility of punishment, diverts scarce resources from those who can most benefit: addicted offenders.

Drug courts deal with the shortcomings of both approaches, favoring treatment over jail but constructing a system that allows treatment to stick.

The first drug court began in 1989 in Miami, the result of a cooperative effort between the judiciary and then-Dade County prosecutor Janet Reno. There are now more than 1,000 nationwide, either in operation or the planning stages. Support spans the political spectrum. In 2000, every chief justice and court administrator from the 50 states signed a resolution in support of drug courts. The daughter of Gov. Jeb Bush (R-Fla.) is a drug-court client. In my county in Massachusetts, all three leading candidates in the 2002 race for district attorney advocated expansion of drug courts. The state's criminal-defense organization for the indigent has added its endorsement, too.

The typical drug court combines substance-abuse treatment in the community, strict case management with direct judicial involvement, regular drug testing, and graduated incentives and sanctions based on performance in treatment. The ultimate reward is avoidance of a jail sentence or the expunging of criminal charges. The ultimate sanction is imprisonment.

I PRESIDE OVER TWO DRUG COURTS, IN THE BRIGHTON and Roxbury neighborhoods in Boston. My drug courts concentrate on high-risk offenders, those with long records and substantial histories of drug use, the very people who will break into businesses, cars and homes to steal. (Offenders with a history of serious violence, sexual offenses or arson are generally not eligible.) The Brighton and Roxbury drug courts admit offenders based on a guilty plea or on the adjudication of a probation violation. I do not accept pretrial diversion cases, because I believe that a serious drug abuser will not succeed without a sentence hanging over his or her head; the punishment for violating a diversion program is only to go back on the trial list. Those I do accept are placed into supervised treatment for at least one year.

Judges and probation officers refer offenders who fit these criteria. The drug-court probation officers examine the offender's criminal record, substance-abuse history, current usage, symptoms, level of functioning, mental-health history, social and family relationships, employment status and drug-treatment history. They make a recommendation as to suitability for a drug court and a treatment plan, and then I determine whether to admit the offender.

The key elements of the Brighton and Roxbury courts are:

Community treatment. The probation staff places those accepted into appropriate treatment, such as a therapeutic community, a residential one, day treatment or outpatient counseling. For people with a co-existing mental illnesses, special efforts are made to place them in "dual diagnosis" treatment. We attempt to place those whose primary language is not English in treatment administered in their language. Treatment that takes account of a history of abuse and trauma is appropriate for many, especially women. Some participants respond to a more traditional medical setting, others to a faith-based program. Any program utilized by the drug courts must be willing to provide detailed progress reports on at least a weekly basis. The probation staff may need to change the treatment placement over time, depending on the participants' forward progress or relapse. Intensive case management is performed by probation staff. Probation officers monitor participation, receive progress reports from treatment providers, and make home and treatment-site visits. If a probationer relapses but the drug court still wants to work with him or her, a stepped-up treatment plan or new placement can be made. As Dr. Lonny Shavelson writes in *Hooked*, his recent book about San Francisco's treatment-on-demand program, "Drug Courts not only coerced treatment but coordinated treatment, bringing the myriad aspects of rehab together under the watchful eyes of a single agency. ... Guiding, coordinating, and organizing our programs is as crucial as coercing or motivating the addicts to stay clean."

Testing. Abstinence from narcotic drugs (including pre-

scription narcotics) and alcohol is required. Probationers are tested frequently on a random basis.

Judicial oversight. Here is where drug courts are very different from the traditional criminal-justice system. The judge is directly and personally involved. My drug courts meet weekly. Prior to each session, I hold a meeting attended by probation staff, treatment providers, the defense counsel, and the prosecution to get an initial report on all the participants and applicants for admission to the drug court. Then court begins. The participants appear before me regularly, initially on a weekly basis. They stay for the entire session rather than leaving after their cases are concluded. The probation office informs me of each probationer's criminal activity (if any), test results, and compliance with treatment and other conditions of probation.

Graduated rewards and sanctions. The judge rewards those doing well with praise in the presence of other participants. I give those who have done something special—received a glowing report from treatment, given help to another addict, abstained when a loved one dies—a tiny star

like the one a teacher may have put on your paper in school. You may be thinking, as I did when a colleague of mine told me about this reward, this is too hokey! It is not. I have seen men who have done state prison time and women who have been selling their bodies for years glow in response to positive recognition before their peers. After a period of solid performance, a participant may be allowed to attend court less frequently. Sanctions can involve a reprimand, a more intensive treatment program

or a short period of incarceration. The ultimate sanction is removal from the drug court, which means incarceration.

Relapse prevention. All participants must complete a course to help them recognize and manage relapse warning signs.

Graduation. Those who complete a minimum of one year in my drug courts and are in full compliance, including at least 90 days of continuous sobriety, will be considered for graduation. The drug court holds a formal ceremony at which each graduate is honored for his or her progress in recovery and law-abiding behavior. Each graduate is invited to speak, thereby validating what has been accomplished and inspiring the remaining drug-court participants.

The bottom line is that all this works. National statistics tell us that drug-court graduates enjoy longer periods of sobriety and commit fewer criminal activities than similar offenders who do not have the benefit of drug court. In my drug courts, which have been running since May 1999 (Roxbury) and June 2000 (Brighton), the recidivism rate as of the latest statistics is 30 percent, compared with a usual rate of new criminal activity among drug offenders of 50 percent to 70 percent.

By giving addicts a sustained period of sobriety and the tools to help maintain that sobriety, drug courts also save money that would otherwise be spent on health care, pris-

The drug court honors each graduate for progress and law-abiding behavior.

ons and law enforcement. For example, one study concluded that Oregon's Multnomah County drug court produced more than \$2 million in cost savings. Every dollar spent on that drug court was estimated to produce \$2.50 in savings to taxpayers and \$10.00 in savings when broader societal costs were considered. For all these very measurable results, conservatives and liberals alike who know about drug courts have lined up in support.

UNFORTUNATELY, THE NATIONAL DEBATE OVER DRUG policy has largely overlooked the drug-court movement. The two competing forces—the war on drugs and the decriminalization movement—have been content to keep treatment and the courts on separate airplanes. The premise of the war on drugs is that aggressive action abroad and at home to reduce the supply of drugs will dramatically affect the incidence of drug abuse in America. This approach regards the court system as the means to adjudicate and sentence, with rehabilitation through treatment a secondary goal at best. Although a great deal of the three-fold growth in the American prison population since the early 1980s is attributable to convictions for violating drug laws, research has shown virtually no impact on drug use and very little effect on drug-induced crime.

The competing approach, which has shown political strength in several states, is the decriminalization movement. Proposition 36 in California and Proposition 200 in Arizona are examples of this approach. Proposition 36 mandates treatment as an alternative to incarceration for all first- and second-time nonviolent drug-possession offenders, except for those involved in the production, distribution or sale of drugs. But this law attempts to build a wall between treatment and the court system (although drug courts in California and Arizona have had some success in finding ways around the barriers). Drug-test results may not be reported to the criminal-justice system without the participants' consent, and treatment programs may not view arrest and conviction information without permission. Consent cannot be required as part of a plea bargain. Offenders diverted under Proposition 36 are permitted three drug-related violations of probation without any criminal-justice consequences unless there is a danger to the safety of others.

As a judge, my role is not to advocate for or against either policy, but I can tell you what I have learned during my 13 years on the front line about what works. My experience

and study have taught me the following:

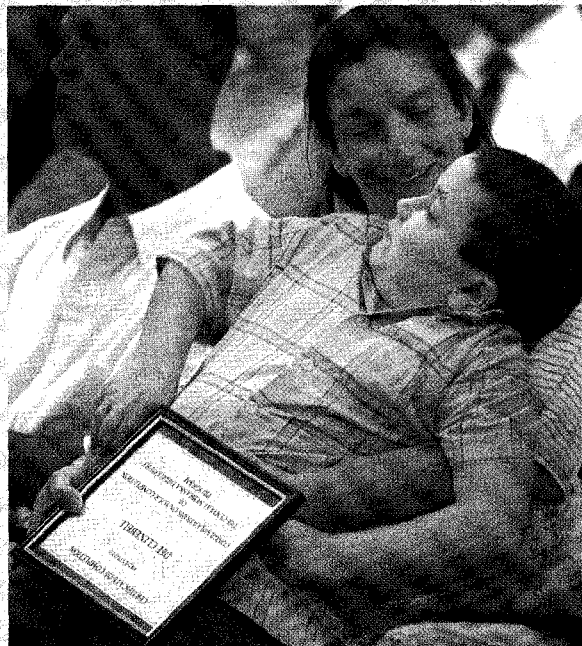
- Substance abuse is a significant factor in the majority of criminal cases that enter the judicial system each year. The literature suggests the percentage to be between 67 percent and 80 percent. Approximately 60 percent of adults who are arrested are intoxicated at the time of booking. In my own experience, abuse of drugs or alcohol is often directly part of the charged crime, or lies just beneath the surface; it is only a question of how deep one digs. For example, when I examine the criminal record of a man before me who's been charged with shoplifting and I see five prior shoplifting convictions, there is a high likelihood of substance abuse even if there are no drug charges on his record.

- Almost all substance abusers and addicts need treatment to become clean and sober. The vast majority of them will not do it on their own.

- The longer someone remains in treatment, the more successful he or she generally is in maintaining sobriety and law-abiding behavior. Most studies have found that one year is the minimum effective duration.

- Coerced treatment works. Most addicts and substance abusers will not enter treatment or stay very long if treatment is voluntary. Forty percent to 80 percent will drop out in the first three months, and 80 percent to 90 percent will leave before the end of a year. On the other hand, most coerced patients stay in treatment longer.

- Treatment that is not only coerced but coordinated has an even higher success rate.



Class Act: Dee Clinebell graduates from a Nebraska drug rehab course.

Almost all addicts and alcoholics in the initial stages of recovery relapse are or were expelled from a treatment program. More and more substance abusers and addicts also suffer from mental illness. Without a coordinating agency, the initial relapse or the lack of dual-diagnosis treatment will put the addicted person back on the street, where he or she may well resume heavy use and criminal behavior.

- Success in treatment should be rewarded. Treatment is hard work. Most addicts have zero self-esteem and no track record of accomplishment in life. Rewarding offenders is a strange concept to most judges and court officials, but it is essential in substance-abuse cases.

My experience has also taught me that there are myths about substance-abusing criminal offenders, some of which are relied upon by both supporters of the war on drugs and those who favor decriminalization. The first is that incarceration of addicted offenders is essential to reducing drug distribution and protecting public safety. That is certainly true while the addict is in prison. But if an addict is released

without addressing his or her addiction, that offender will go right back to using and committing crimes to feed his or her habit. Research studies show that within one year, 85 percent relapse into drug use and 70 percent commit crimes. The only solution under this approach is to imprison all substance abusers and addicts for very long periods of time—a policy that carries a high fiscal and moral price. Those who favor the incarceration approach may argue that long prison sentences for drug use will deter others, but there is no data whatsoever supporting this.

A second myth is that if society offers a drug-addicted offender treatment and that person uses again, the appropriate next step is jail. As probation officers will say, "Judge, this defendant is not probation material." This myth ignores the reality that few addicts or alcoholics get into recovery the first time and stay in recovery without ever relapsing. It flies in the face of all we have learned about the drastic changes in brain chemistry caused by addiction and the barriers those changes create to making alterations in behavior.

A third myth is that the drug world is divided into users and sellers. There are some abusers and addicts that never have sold and never will, just as there are drug dealers who abstain from their wares, but the overwhelming majority of addicted or abusing individuals will at some point sell in order to buy for themselves.

A fourth myth is the one of the nonviolent substance abuser, the person who only gets arrested for possession of narcotics he or she is intending to consume. This image is central to the decriminalization movement. (While there are indeed such people in the criminal-justice system, they are a small subset.) Research establishes a close correlation between drug use and all varieties of crimes. I have had many offenders who have come before me on their first charge of drug possession but have a huge record of petty larceny and burglary, or even sale of drugs. The public-policy choices would be a lot easier if drug abusers and addicts only possessed narcotics, but the reality is that many prey on individuals and businesses to support their habits, and that will not end if first- and second-offense possession cases are decriminalized and adherence to treatment is not enforced.

A fifth myth, based on the one of the nonviolent drug user, is that an addicted person will succeed in treatment only if it is his or her voluntary act. This belief ignores the reality that treatment is hard and addiction strong and insidious. Few enter treatment, and fewer stay, if there is not some serious consequence for leaving.

A sixth myth is that alcohol is not a drug. It is legal but it is a drug nevertheless. The evidence shows that it is involved in more criminal behavior and more social and economic problems than any other drug.

A seventh myth is that treatment resources are best spent on persons who have been arrested for the first or

second time for a drug-related crime. The reality, supported now by a large amount of data, is that first and second offenders who have limited or no probation and treatment services do about as well as those given intensive services. For some, just the encounter with the criminal-justice system is enough to change behavior. On the other hand, research by professors Paul Gendreau of the University of New Brunswick and Douglas Marlowe of the University of Pennsylvania demonstrates that intensive, long-term treatment of high-risk offenders with a substantial record, with frequent judicial monitoring and coordination, can make a significant difference in future recidivism and drug use. Proposition 36-type approaches can divert limited resources from the high-risk population, for whom treatment can make a difference, to a low-risk population, where there is little evidence that treatment services are necessary.

DRUG COURTS ARE PREMISED ON THE REALITIES OF substance abuse and the criminal-justice system, not mythology. They offer a middle way between the war on

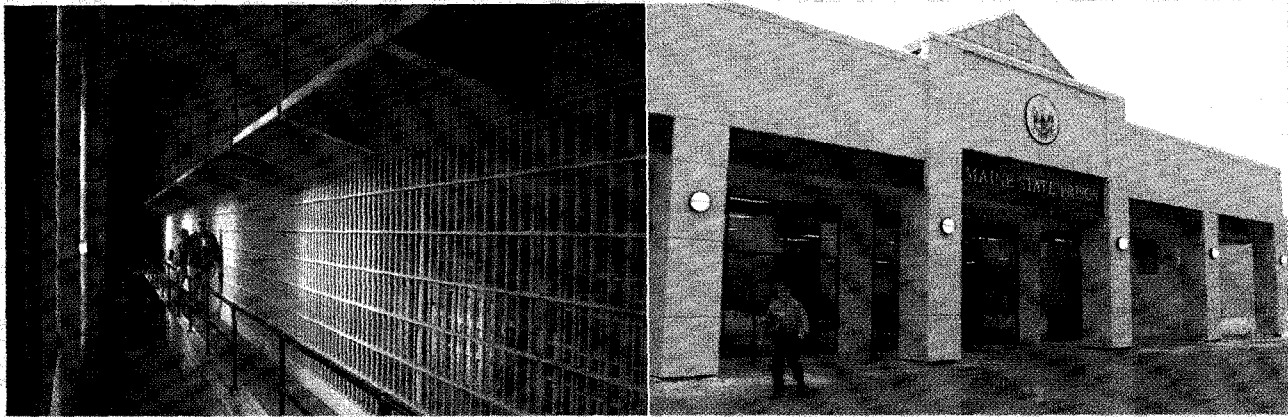
drugs and the decriminalization movement. They protect public safety by providing strict, intense and coordinated supervision of participants while in drug court, and in turning out a high percentage of graduates who are able to maintain their sobriety and obey the law. This is why many prosecutors and conservatives support drug courts. At the same time, though, such courts accomplish the goal of the decriminalizers by allowing drug abusers access to rehabilitation and

the opportunity to pursue recovery outside the jailhouse walls, which is why many defense attorneys and liberals also support them. And both liberals and conservatives appreciate the cost savings.

Drug courts also save lives. Indeed, the most frequent thing offenders say on graduation day is that they would be dead without their drug court. I think of Clinton B., who was a heroin addict for 40 years but has been clean and sober for three. He told me that each day in recovery is better than the day before. I think of Delinda C., who was reunited with her daughter in a sober housing development. She loved the fact that her child had such good role models in the other recovering parents. I think of Jack M., a young man who almost decided to do his time because his drug court was too hard but who is now on the staff of a treatment program, helping others into sobriety. These stories are happening in drug courts across America everyday. In the words of Gen. Barry McCaffrey, director of the Office of National Drug Control Policy during the Clinton administration, "The establishment of drug courts ... constitutes one of the most monumental changes in social justice in this country since World War II." ■

PETER ANDERSON is a trial court judge in Massachusetts.

**Offenders often
say on graduation
day that they
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without drug court.**



Changing of the Guard: The old prison, built in 1824 (left); the \$65 million Warren facility, which opened in 2002 (right)

The Shawshank Succession

Maine built a state-of-the-art prison to replace the one made infamous in the movies. It filled up almost overnight, but many inside don't belong there. Now the question is what to do with them.

BY JOSEPH ROSENBLOOM

IN THE MID-1990S, WHEN THEN-GOV. ANGUS KING UNVEILED an ambitious prison-construction plan, the proposal had nothing to do with any “lock-’em-up” agenda. Maine had one of the lowest incarceration rates in the country, a tradition of moderation on law-and-order issues, and no intention of changing either one. The centerpiece of King’s plan was a \$65 million maximum-security prison, which opened in the town of Warren in February 2002. The new facility was built to replace a 178-year-old, red-brick monolith that, as local lore has it, was a model for the grim prison of Stephen King’s *Shawshank Redemption*.

Referring to the old prison, Angus King (who is no relation to the writer) says, “It was almost Dickensian, it was the oldest prison in the country and it was very expensive to run.” By building the modern prison, the state expunged a stigma, and Maine officials expected the savings in operating expenses to more than offset the new facility’s capital cost.

But a funny thing happened on the way to fiscal prudence: Maine’s adult prison population, which had held steady and even dipped for three years in the mid-1990s, shot up. By the summer of 2003, Warren was full. “That was a total shock, because it is practically a state-of-the-art facility that was supposed to be good for 10 years,” says Sen. Mary Cathcart, a Democrat who co-chairs the Maine legislature’s Committee on Appropriations and Financial Affairs. All told, the number of inmates in Maine’s prisons surged from an average of 1,667 in 2001 to 1,819 a year later, a 9 percent jump and the largest increase percentage-wise among the 50 states, according to the U.S. Bureau of Justice Statistics. The trend has con-

tinued this year, with the number of inmates in the state’s prisons approaching 2,000. And Maine lawmakers had to grit their teeth and increase the Corrections Department’s budget 11.8 percent this year over last.

The shock of coping with an unexpectedly voracious prison budget at a time of fiscal austerity—hard times forced the state to virtually freeze its overall budget at \$2.5 billion this year—has created an extraordinary sense of urgency among Maine’s top elected officials and an unexpected opportunity for reform. The state’s political establishment, never before greatly interested in these issues, is suddenly all ears for new ideas related to crime and punishment. “It’s like we’re in a place where something really creative could happen,” says Suzanne Rudalevige, director of the Maine Council of Churches’ restorative-justice program.

Foremost among the proposals that are receiving close attention, according to Rudalevige, are various alternatives to prison for nonviolent offenders. The interest, moreover, is clearly bipartisan. “I wonder if it is good policy to have so many people incarcerated, especially nonviolent prisoners,” muses the Republican minority leader of the Maine Senate, Paul Davis, who is a retired state trooper. In September, current Gov. John Baldacci, a Democrat, named former corrections chief Don Allen, a Republican, to head a blue-ribbon commission to inquire into the causes of the state’s prison crisis and recommend remedies—and do it quickly. Baldacci called for a report within three months.

The reasons underlying Maine’s prison overcrowding seem to be complex. “When I first went into it, I looked for a silver bullet,” says Ethan Strimling, the Democratic chairman of the legislature’s Committee on Criminal Justice and

a member of the new commission. "But the more I look at it, the more I believe it's a combination of a lot of things."

One leading explanation has its roots far from Maine: President Clinton's tough-on-crime policy. In 1995, to qualify for funds under Clinton's prison construction program, the Maine legislature enacted so-called truth-in-sentencing legislation. The "truth" the federal government demanded was a state law requiring criminal offenders to serve at least 85 percent of their sentence in prison. Maine's new law limited the early release of prisoners for good behavior. Strimling says that preliminary research shows the law had a dramatic effect. "The actual time that people are serving behind bars appears to have increased something like 50 percent," he says, "and that's one area where we have to take a look."

A second factor is probation. Laws passed in recent years impose long probationary periods after prison on those convicted of certain sex, drug and domestic-abuse offenses. According to state Rep. Janet Mills, a Democrat and former district attorney, the longer probationary periods are translating into a rash of technical violations of probation. As a result, many probationers are returning to prison. "If a judge says you can't drink for two years," Mills quips, "well, it's Maine! Hello?"

A third possible explanation derives from the "build-it-and-they-will-come" principle. Rather than crowd county jails, this theory holds, Maine judges may have lengthened sentences so that offenders would end up in a place where there was space. Under Maine law, offenders sentenced to terms of nine months or longer go to state prison; those serving shorter terms are consigned to county jails.

What's more, unlike most county jails, the new prison at Warren has a full-time staff to treat inmates with mental problems. Judges may have sentenced those who could benefit from superior mental-health services accordingly.

Statistics released by the Corrections Department seem to buttress the theory. Last year there was a nearly 200 percent rise in the number of Maine prison inmates sentenced for terms between nine months and one year.

In the past, Maine has followed a moderate—not a pioneering—path in its criminal-justice policy. At budget-crunch time in Maine, as in many other states, the Corrections Department's argument for money to enhance security has almost always trumped proposals to experiment with community-based programs for offenders, says Craig McEwen, the dean of academic affairs and a sociology professor at Bowdoin College in Brunswick.

A gubernatorial task force that McEwen co-chaired in the late 1990s sought the release of more Maine inmates on probation, the creation of community-based programs to supervise and treat them for such things as substance-abuse and mental-health problems, and a system of intermediate sanctions short of reincarceration to deal with technical violations of probation. But McEwen said the

task-force recommendations were largely ignored. "We've reinforced prisons as the major alternative for offenders and not built adequately the other alternative, which is intermediate sanctions and community corrections," he says.

But now those alternatives are back on the table again. Sen. Cathcart suggests, for example, that Maine ought to consider restoring a program of intensive supervision of probationers, which was instituted in 1986 and abandoned in 1993. The program's aim was to keep offenders thought to pose little risk to the community—people convicted of, say, habitual but minor drug offenses or of writing bad checks—out of prison. They would be supervised by probation officers with caseloads averaging 12 or 13 inmates instead of the usual 200.

Even Maine Corrections Commissioner Martin Magnusson, another member of the blue-ribbon panel, says he's keeping an open mind about restoring such a program, though he is also hedging his bets. The original program was scuttled, he has warned, because it aroused the "animosity" of the regular probation officers. "The department cannot

reinstitute the program with existing resources," the minutes of a recent commission meeting quote Magnusson as saying.

Maine still has an early-release program that allows low-risk offenders to return to the community six months before their sentences are up. It has rarely been used, though, because, Cathcart says, prisoners are reluctant to leave without jobs to go to and corrections officials are reluctant to release prisoners who may be a danger to the community. But an early-release program,

maybe with a job-finding component, is now under scrutiny.

Any proposal to spend public money on a program perceived as benefiting criminals will be a tough sell, proponents of community-based corrections admit. "There's so much stigma attached to inmates," says Carol Carothers, executive director of the mental-health advocacy group NAMI Maine. "They are just seen as criminals, and they should do their time and they should be punished, and it's hard for people to feel, 'Wow, we should be making conditions better for them.'"

There is, however, a financial case to be made for treating mentally-ill offenders in programs outside of prison, and Carothers has been making it. "Jail is the wrong place for people with mental illness," she recently told the new commission, "and is the least effective way to spend monies on these individuals. This is a huge financial drain. They will often die in prison."

In ordinary times, says Angus King, good works to enhance the state's penal system have "no political constituency and no sex appeal." But Maine today faces no ordinary budget crunch, and the policies adopted by the state's newly attentive political leaders may well put it in the vanguard of prison reform. ■

JOSEPH ROSENBLOOM is a Prospect contributing editor.

The Clinton crime bill required states getting federal funds to extend time served.

No Resources, No Results

Kentucky had good intentions in releasing some nonviolent offenders to save money. But the state shortchanged its post-release programs, and an opportunity was lost.

BY SASHA ABRAMSKY

In the early 1970s, America's prison population began a dramatic expansion that has continued, uninterrupted, ever since. By the year 2000, one in every 14 general-fund dollars spent by the states was being spent on incarceration. Vast high-security

prisons were constructed at a cost of a quarter of a billion dollars each. Today, prison spending is, on average, the third-largest state expenditure (after education and Medicaid); more than \$40 billion a year is spent on maintaining and running the more than 1,400 prisons nationwide.

During the budget crises of the last couple of years, state political figures have begun realizing just how devastating the prison boom has been. They are also realizing that it is almost impossible to solve their budget crises without reducing the dollars heading into corrections. "The 'get tough' policies of the 1980s come with a high fiscal cost," says Marc Mauer of the Washington-based Sentencing Project think tank. "And policy-makers are increasingly aware of this. If they need to balance state budgets, corrections represents a good source of budget cuts."

Paradoxically, with the fiscal crises come opportunities: to find more cost-effective ways to reduce crime than the "lock 'em up at all costs" strategy of the recent past; to rethink drug-sentencing policies that have placed hundreds of thousands of nonviolent addicts behind bars; to rethink stiff mandatory and habitual-offender laws that have swelled the numbers of inmates serving inordinately long sentences; to reorder spending priorities so that more people are diverted away from prison and, for those who are still imprisoned, to direct more money toward services preparing them for release. If this can be done, two goals



Bluegrass Blues: An inmate leaves lockup in Lexington, Ky.

will be achieved at once: Crime-fighting dollars will be spent in a more cost-effective way and the prison system will be shrunk without an unwelcome spike in crime or a politically irresistible public reaction against reform.

Unfortunately, not everyone is taking the long-term view. Over the past couple of years, as their budgets diminished, many states instead decided to cut costs the quick and easy way: through the early release of prisoners. Oklahoma, Montana, Arkansas and Kentucky have each released hundreds of inmates. In December 2002, Kentucky granted early release to 567 inmates; in January another 328 prisoners walked free early. In Arkansas, the state parole board authorized the early release of as many as 521 inmates.

For the most part, those released early were convicts whose crimes were not violent and who were within a few months of their release dates. Meanwhile, Utah, Virginia, Washington, Idaho, Nebraska and Georgia are among the states publicly debating whether to follow such a policy.

But if early release seems a welcome reversal of lock-'em-up policies, it can backfire in the absence of transition programs. For these same states have also been pinching pennies on prerelease programs, drug-treatment and life-skills classes, ignoring the lifelong economic and social handicaps that a spell behind bars leaves people with.

Lacking programs to help them reintegrate into the community, many of those released from prison swiftly return to crime and to prison. And to a public suspicious

of “coddling” criminals, any story of someone released early committing new crimes is likely to confirm suspicions that early release—and with it any “softening” of the system—is putting public safety in jeopardy.

IT IS IN KENTUCKY THAT THE SAGA OF EARLY RELEASES combined with underinvestment in post-prison services has played out most visibly. Always a poor state, Kentucky has been housing low-level felons in county jails for several years as a way to avoid building expensive new prisons. At the same time, the prison population is bursting at the seams because of more and longer sentences being meted out under the tougher sentencing policies of the 1980s and '90s. Twenty years ago, in fiscal year 1983, the state's prison population stood at 5,362; by 1993 it had risen to 10,526. Today, even after hundreds have been let out as a part of the early-release program, 17,328 Kentuckians live behind bars.

When Kentucky's budget, along with those of most other states, began heading south in 2001, the governor looked for creative ways to save. In late 2002, despite the opposition of many legislators and newspaper columnists, the state began letting a large number of these inmates back onto the streets.

Kentucky “[has] no post-release programs,” says one professor. “Literally, they push you out the door. It doesn’t matter how long you’ve been locked up.”

The savings were, in the short term, significant. It costs Kentucky an average of \$27.51 per day to house a low-level state prisoner in a county jail. With close to 1,000 prisoners set free an average of 90 days before their sentences were up, the early-release program saved cash-strapped Kentucky around \$2.5 million at the tail end of 2002 and the first few months of 2003.

But at the same time, no additional resources were activated to help those released readjust to life on the outside. The state Department of Corrections declined to comment for this article, but other sources indicate that those released before their sentences were up were not placed on parole, drug addicts were not mandated into treatment, and no one was given job training or help in finding housing. Indeed, the Reentry Court program in Kentucky, a small pilot program that provided a year of drug treatment to released drug offenders, was discontinued in 2002 due to lack of funding, despite some signs of success.

“They have no post-release programs,” says Northern Kentucky University criminology professor and ex-drug convict Stephen Richards, talking about the Kentucky prison system. “Literally, they push you out the door. It doesn’t matter how long you’ve been locked up. ... In Kentucky ... [m]ost are walking out of prison in their prison uniforms, with their numbers on their chest.”

DEBRA HAYNES WAS ONE OF THE SUPPOSED BENEFICIARIES of early release. On Jan. 17, 2003, as one of the lucky few prisoners who had been placed in a transitional-release program

by the state, Haynes was employed folding linens at a hospital in the tiny Kentucky town of Owensburg. A 42-year-old grandmother, she was nearing the end of a drug-related prison sentence. That afternoon, she was met at the hospital gates by a social worker who told her that she was being released early and was free to go home.

“I felt great,” Haynes reminisces. “I was ready to get out of there. I phoned my family. My daughter picked me up.”

But then things turned sour. Because she was released, Haynes lost her job at the hospital and was given no other work. A couple of months later, she got a job cooking in the café of the 3 J department store. But when the little town's economy slowed down, Haynes was fired. She was still unemployed when interviewed for this article. “Believe me, it's hard,” Haynes said with resignation. “When you're a convicted felon, people are not going to hire you. You have to get out and do the best you can and hope and pray somebody will hire you.”

Realistically, however, it's unlikely that Haynes' situation, or those of others like her, will improve. To save money, Kentucky hasn't programmed its computers to track whether prisoners released early have been returning to the

prison system, and sources in parole services and other agencies confirm that no one is monitoring their progress. But many do end up back behind bars. National recidivism rates, especially for ex-inmates without access to transitional supports, are depressingly high. A 2002 Bureau of Justice Statistics study, based on data from 15 states, reported that 67.5 percent of prisoners released in 1994 had been rearrested within three years and 46.9 percent had been reconvicted. By contrast, those who participate in transitional programs fare much better. According to economist Steve Aos of the Washington State Institute for Public Policy, a nonprofit group that has analyzed national recidivism data over several years, drug courts and vocational programs lower recidivism rates by an average of 13 percent and 11 percent, respectively. Aos concludes that “taxpayers on average get a couple dollars of positive benefits per dollar of costs to run the programs.”

With hundreds of thousands of prisoners being released annually, statewide programs that reduce recidivism by 10 percent to 20 percent would ultimately prevent tens of thousands of ex-cons from returning to prison each year. In the long run, investment in such programs would have far greater impacts on correctional costs than haphazard early-release policies like the one of which Haynes was a part.

IN KENTUCKY, HOWEVER, SUCH ARGUMENTS DON'T GET much of a hearing. A poor state, its government agencies have never invested heavily in pre- and post-release programming for inmates. And, with budget woes worsening,

these agencies are unlikely to reverse course anytime soon. As a result, religious organizations have stepped in. In Louisville, home of the Churchill Downs racetrack and Kentucky's largest city, a fair number of nonprofit, church-affiliated halfway houses and transitional services cater to the thousands of ex-cons who return to the area each year.

"I was a sheriff. The Lord led me out of the police force," says Eric Irvin, a 34-year-old Baptist preacher with a goatee who's dressed in a white suit crisscrossed with thin black lines, a perfectly pressed purple shirt, and purple and black alligator-skin shoes. "I wrestled with God a month about leaving. I said, 'Lord, are you sure it was me?' God told me to leave to run this program, so, on faith, I left. He put me in Frankfort, Kentucky's capital, the next day. I phoned Gov. [Paul] Patton when he was letting all these prisoners out and told him I was the solution."

Irvin receives praise from government officials—but no government funds. On a shoestring budget he offers life-skills classes, an audience with motivational speakers, help writing résumés and other services to several dozen ex-prisoners. The problem with such programs—aside from obvious concerns about church-state issues—is that the state hasn't created adequate linkages so that all those who need these services actually get them. Most returning cons fall through the cracks.

This was particularly true of the early-release cohort, the great majority of whom were not channeled into post-prison programming. Dismas House, which boards pre-release prisoners such as Debra Haynes and post-release prisoners on parole, is the largest such institution in the state, with close to 500 beds, all of them full. Yet its senior staff only managed to identify six convicts who had been released early, including Haynes, and had subsequently utilized Dismas programs. Irvin Transitional Services, Eric Irvin's re-entry program, cannot identify a single client freed under early release. Employees at Hope House, a faith-based halfway house in Louisville catering to drug and alcohol abusers, believe only two of those let out of prison early stayed with them, and only for a short period. And that means hundreds are going back into the community unsupported, and, most likely, back to committing crimes.

ASIDE FROM THE COST OF PUNISHING REPEAT OFFENDERS, there's another price to pay for sloppy prisoner release: It reduces the political will to reform the system more broadly. When it comes to crime and punishment, public perceptions have been at least as crucial in shaping criminal-justice policy as on-the-ground realities. In the 1990s, for example, majorities of those polled routinely told researchers that crime was going up, even when the statistics showed it to be declining. As a result, politicians crafted tough-on-crime legislation such as the "three strikes" law. And so, warns Marc Mauer, "there's a real risk of public backlash" against reforming exorbitant sentencing and prison terms if the first evident steps—early release—go awry. "[A]ll it takes is one horrendous crime committed by

one of these releasees to set off a storm," he says.

Early this year, Kentucky experienced just such a backlash after several of those released early were charged with new, high-profile crimes. In January, in the little town of Hopkinsville, a releasee named Richard McGregor was charged with raping a young woman. Elsewhere, two others who had been set free early were charged with bank robbery. The sensational press coverage and the subsequent political backlash proved too strong to contain. In February, Patton, under intense pressure from the state legislature, ended the early-release program. Because early release had been poorly implemented, it ended up solidifying the public's support for tough-on-crime policies and made the subject of reform taboo.

This wasted opportunity is a shame because polling data suggest that, in fact, the American public is dissatisfied with the tough arrest and sentencing policies that created such an enormous pool of prisoners. A recent poll carried out by Peter D. Hart Research Associates found that 65 percent of Americans favor policies that tackle the root causes of crime, while only 32 percent favor stiffer prison sentences for offenders. (By contrast, nine years ago, only 48 percent favored "root cause" policies.) More dramatically, a resounding 76 percent of those polled supported treatment and community-service programs rather than incarceration for nonviolent drug offenders.

Across the country, state legislators have begun to look at alternatives to prison, no longer afraid that such policies will lead to them being labeled soft on crime. In Michigan and, surprisingly, Louisiana (the state with the highest percentage of its population behind bars), legislators have recently reduced the length of mandatory sentences for drug crimes. In Nebraska and Kansas, sentencing commissions have come out in favor of diverting nonviolent offenders into halfway houses. In Alabama, the state's commission has been working to restructure sentencing policies, at least partly as a response to the state's fiscal woes. In New York, where the modern drug wars were born in the early 1970s, the political leadership is also inching its way toward reforming the harsh Rockefeller drug laws. And in Texas, one of the most fervently lock-'em-up states, Gov. Rick Perry signed a bill in June mandating drug-treatment plans for first-time nonviolent drug offenders.

Taken as a whole, these reforms are sowing the seeds of a dramatic move away from our current policies of excessive incarceration. And that could be good for rehabilitating criminals and for state budgets down the road. But such a move won't happen at all if the costs of kinder, gentler prison systems are crime-ridden communities or a public that perceives its politicians as having put its safety at risk to save a few dollars. It is a lesson Kentucky, in trying to reform its system on the cheap, learned the hard way. ■

SASHA ABRAMSKY is the author of *Hard Time Blues* and the co-author of the recently published *Human Rights Watch report "Ill-Equipped: U.S. Prisons and Offenders with Mental Illness."*

Lawful Re-entry

In Brooklyn, a novel program is reducing recidivism and finding ex-offenders decent jobs. The real surprise is who's running it: a social worker hired by the district attorney's office.

BY BRUCE WESTERN

ON AN AVERAGE DAY IN 2000, MORE THAN 10 PERCENT of all black American men in their 20s were either in prison or in jail. Most of them had very little schooling. About one in three black male high-school dropouts were behind bars. A black man reaching his early 30s was nearly twice as likely to have a prison record than to hold a bachelor's degree. And young black men with no college education were more than twice as likely to have been to prison than to have served in the military.

The ubiquity of incarceration among young black men, which I studied with sociologist Becky Pettit, is striking. Today, incredibly, around 60 percent of black male high-school dropouts now in their mid-30s have prison records. Prison time averages 28 months, so for black men with low levels of education, imprisonment for two years or more has indeed become commonplace. One longtime advocate of prisoners' rights, Angela Davis, observed at a forum in New Orleans earlier this year, "In the black community, almost everybody has a connection with prisoners in one way or another. It's been a theme of our lives."

Few other events separate the lives of blacks and whites like incarceration. Black men are seven to eight times more likely to go to prison or jail than white men. (Because 93 percent of all prison and jail inmates are men, the penal system has a more direct effect on their life chances than women's.) This large racial disparity far exceeds modest black-white differences in marriage rates, schooling and employment. Given these facts, the prison boom is perhaps the most important development in American race relations in the last three decades.

The penal system casts a long shadow over poor and minority communities, in part because incarceration affects ex-inmates well after they are released. Research shows that spending time in prison reduces the wages of ex-inmates by 10 percent to 15 percent. The reasons are myriad. Men coming out of prison typically find only temporary or casual jobs that offer few opportunities for promotion or building skills. They may be lured away from honest jobs by the promise of easy cash from selling drugs or committing other crimes. Ex-inmates also talk about the difficulties of adjusting to life on the outside, particularly in the first days and weeks after release; the self-reliance needed for the daily demands of getting to work and following the directions of supervisors can be difficult for those used to the rigid rules of prison. Finally, ex-inmates contend with

employers who show little interest in hiring them. A survey conducted by Harry Holzer at Georgetown University shows that 82 percent of employers say they would hire a welfare recipient, but only 33 percent would hire an ex-convict.

Poor employment options reverberate throughout family life. Men without steady jobs are unappealing marriage partners—they can't contribute economically and criminal conviction carries a stigma that can repel potential wives and girlfriends. For those who were married before prison, the long periods of separation during incarceration take a heavy toll. A survey of poor parents from the Fragile Families Study showed that going to prison or jail reduced the likelihood of cohabitation or marriage by about one-quarter—even after factoring out the effects of drug use and violence, education and the level of conflict in the marriage.

The negative effects of incarceration on employment and marriage are important because a steady job and a good marriage are critical steps for rehabilitation. Reliable jobs keep men who are prone to crime under the watchful eyes of employers. A good marriage has a similar effect, keeping a man home at night and invested in his wife and children. Given that marriage and employment are so important for rehabilitation, it is striking that incarceration is now being found to reduce wages and increase the risks of divorce and separation. Not only are ex-inmates re-entering society with the deficits that drew them into crime, the experience of incarceration itself is undermining the supports of job and family that are critical for going straight.

THESE FACTS SHOW THE IMPORTANCE OF OFFERING MORE and better supports to the immense numbers of inmates re-entering society so that release does not lead immediately back to recidivism and reincarceration. About 650,000 inmates were released from prison in 2002, up from around 150,000 in 1977. In addition to prison releases, millions of people churn through America's jail system each year. But parole, once conceived as the final stage in the rehabilitation process, now functions more like law enforcement than social work. Joan Petersilia, a leading scholar of parole, writes that "parole officers in most large urban areas are now more surveillance-than-services-oriented, and drug testing, electronic monitoring, and verifying curfews are the most common activities of many parole agents."

Nonprofit organizations increasingly serve the needs of ex-prisoners, but these groups are often unprepared to deal

with people caught in the web of the criminal-justice system. Unlike poor men without criminal records, parolees can be sent to prison for relapsing into drug use or for missing appointments with parole officers. Ex-offenders often have to report their criminal histories to prospective employers, and they face legal barriers to skilled occupations and welfare benefits. The criminal-justice system can help ex-prisoners return to society by planning for housing and employment before release or by forgiving minor infractions among parolees. But authorities' support for rehabilitation has declined as budgets for drug treatment, employment and training have shrunk and parole supervision has become more punitive.

A SMALL BUT IMPORTANT EXCEPTION TO THIS TREND IS New York's Community and Law Enforcement Resources Together program (ComALERT), which is unusual because it is run by the Brooklyn district attorney. While prosecutors have generally been in the vanguard of the punitive trend in criminal justice, the Brooklyn DA, Charles "Joe" Hynes, has promoted rehabilitation through employment as a way of improving public safety in Brooklyn's poor, high-crime neighborhoods. No stranger to progressive methods, Hynes has used social workers to help process domestic-violence cases since the early 1990s. More recently, his office established a program of treatment and community supervision, as an alternative to incarceration, for nonviolent drug offenders.

In 1999, Hynes directed Patricia Gatling, then the first assistant district attorney, to bring together representatives from law-enforcement and community organizations in the high-crime neighborhoods of Brooklyn. The first meetings were held in the poor, predominantly African American community of Bedford Stuyvesant, an area where there had been a recent spate of shootings. Gatling enlisted the police department to help parole and probation officers locate members of the area's correctional population and notify them of the meetings. These gatherings began to connect parolees and probationers to community groups that provide drug treatment and job placement.

Soon after, the DA hired a full-time social worker to administer ComALERT. As the program developed, it strengthened its ties to community-service organizations. Gatling reports that there are now about 150 community organizations throughout Brooklyn working with ComALERT, providing services to crime-involved youth, drug offenders and ex-offenders leaving prison. ComALERT also provides jobs, in addition to referring parolees to job-placement services;

program parolees who enroll with the Doe Fund, a welfare-to-work organization, are employed in street cleaning and other low-skill jobs for \$5.50 to \$6.50 an hour. These jobs can't provide economic independence, but they do allow ex-inmates to build work histories and experience with continuous employment. The Doe Fund also provides released prisoners with about a year of room, board and drug treatment immediately after release. Doe Fund participants also contribute to a savings program that pays several thousand dollars when the program is completed. These benefits are coupled with a strict curfew and drug-testing regimen.

While most people leaving prison can do little better than a minimum-wage job, ComALERT also offers some access to skilled trades. In an agreement with the painters union, District Council 9 of the International Union of Painters and Allied Trades, the program offers apprenticeships to ex-

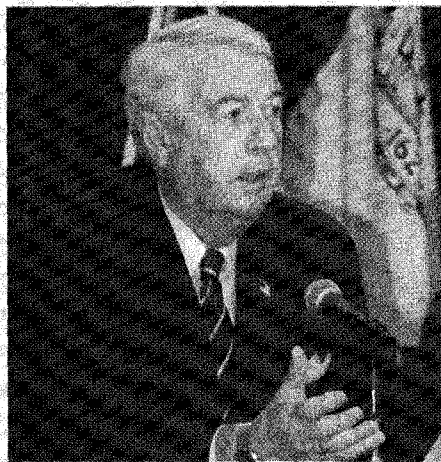
prisoners with high-school diplomas. The apprenticeships can ultimately lead to steady employment in union jobs that pay well.

Many nonprofit and state agencies offer services to released prisoners, but ComALERT is unusual because of its close ties to criminal-justice authorities. The first contact between ComALERT caseworkers and offenders comes in prison during a prerelease interview. I attended one of these sessions at Queensboro Prison with Kevin Costin, a social worker and the director of ComALERT. Costin had also invited a Doe Fund representative, who explained the services to a classroom

of men due for release in the coming months. After the presentation, Costin interviewed about 20 prisoners who had signed up to find out more. Some were enthusiastic about guaranteed jobs and housing outside the city shelter system, but others were wary of leaving prison only to enter a residential facility governed by strict drug and alcohol testing.

Still, contact had been established, and Costin would later meet many of these men again on the outside at his office in Brooklyn. Establishing a relationship with ex-inmates allows Costin to vouch for those he believes are working hard to go straight. In frequent contact with the police and parole officers, Costin often secures second chances for nonviolent offenders who are struggling with addiction, health and behavioral problems.

Because resources are tight, ComALERT has not been systematically evaluated, but its results appear extremely promising. Gatling reports that after one year, about 16 percent of Brooklyn parolees are rearrested, while recidivism among ComALERT parolees is just 6.6 percent. Over three years, 41 percent of parolees in Brooklyn commit new crimes compared with less than 17 percent among ComALERT participants.



Brooklyn DA Charles "Joe" Hynes

ComALERT is also cheap. Right now it costs just the salary of one full-time social worker and a fraction of the time of one prosecutor. The services that are provided come from the city's welfare system. How can the program get by on such little support? To begin with, it is small, enrolling around 200 ex-offenders each year. But the program does appear to be effective for those it does serve. Gatling explains that ComALERT's success is due largely to the links that the program builds between corrections, police and parole on one side and community-service organizations on the other. Through these connections, ComALERT advocates for ex-offenders to criminal-justice authorities and employers, then links them to social services. In the critical period immediately before and after release, ComALERT helps provide people with a job and a place to live, and will vouch for those who are working hard to go straight. Gatling sums up ComALERT's role: "We are [ex-offenders'] social capital. We supply what they never had in the community."

AT A TIME WHEN SUPPORT FOR REHABILITATIVE programs is weak and parole supervision has become more punitive, the problems of prisoner re-entry have gained new urgency. New research confronts an orthodoxy of skepticism that doubts whether rehabilitation programs can reduce recidivism. The tone was set in the mid-1970s when Robert Martinson and his research team examined several hundred evaluations of rehabilitation programs. In an article published in *The Public Interest* in 1974, Martinson concluded that "with few and isolated exceptions, the rehabilitative efforts that have been reported so far have had no appreciable effect on recidivism." While Martinson's review included some important qualifications, the idea that criminals could not be reformed became conventional wisdom.

Later studies seemed to justify Martinson's pessimism. Between 1975 and 1977, for example, a major federally sponsored employment program, the National Supported Work Demonstration, gave minimum-wage construction and service-industry jobs to men with recent arrest records. The men worked in small teams under the supervision of a trained counselor. At a cost of \$100 million, the program appeared disappointing. Early evaluations found that the low-wage jobs neither increased employment nor reduced recidivism.

But recent renewed interest in prisoner re-entry led some researchers back to the old studies of rehabilitation. University of Minnesota criminologist Christopher Uggen re-examined the National Supported Work Demonstration, this time dividing the program participants into two groups: offenders under 27 and offenders 27 and over. Uggen found that supported employment significantly reduced recidivism among older men. He writes, "In contrast to the stylized cultural image of the 'hardened criminal' these results

suggest that older offenders are more amenable to employment interventions than younger offenders." Some researchers argue that older men are more motivated to get back on track than young ones, who remain strongly involved with their crime-involved peers. If this is the case, Uggen's findings suggest that re-entry programs that provide jobs can reduce crime, but the results are best for those who are highly motivated to make a change.

Like the older men in Uggen's analysis, many of the ComALERT participants are self-selected and motivated to succeed. In this way, the Brooklyn program offers a valuable glimpse of what effective rehabilitative community supervision might look like in the era of mass incarceration. Resources for such programs are very tight. And while rehabilitation through employment is at the core of the program, reforming offenders is not the main goal in the current and harsh criminal-justice climate; instead, rehabilitation is only important to the extent that it improves public safety. So ComALERT focuses on those who will most likely respond well to treatment and transitional employment.

Even if only the most motivated and able ex-offenders join the program, the reductions in recidivism are substantial. The idea of providing police and parole officers with more information about the population they are supervising cannot hurt, and it may be extremely helpful. Whatever its broader effects on reducing crime, ComALERT does get jobs, housing, education and drug treatment to the poor and mostly minority men who pass through the criminal-justice system.

By cleaving poor black communities off from the main currents of American life, the prison boom has left us more divided as a nation. Incarceration rates are now so high that the stigma of criminality brands not only individuals but a whole generation of black men with little schooling. While our prisons and jails expanded to preserve public safety, they now risk undermining the civic consensus on which public safety is ultimately based.

Today only a small fraction of Brooklyn parolees go through ComALERT, and a \$4.5 million grant for the program was cut as New York City slid into financial trouble. Without a significant infusion of funds, it remains unclear if the program can operate effectively on a large scale. This would miss an important opportunity. New research and the experience of re-entry organizations like ComALERT show that disadvantaged communities need social investments, not just intensive policing, to absorb the large numbers of men returning home from penal institutions. Prisoner re-entry programs offer a way not to confine and separate them but to reintegrate them through expanded opportunity—and to increase public safety in the process. Such programs offer a way to get smart, rather than tough, on crime. ■

BRUCE WESTERN is a sociology professor at Princeton.

There is increasing evidence that supported work reduces recidivism among older men.

Currents

MUSIC



Roof With a View: The Beatles give their last live performance, Jan. 30, 1969, in London.

'60s for Sale

A new *Let It Be* and the coming 40th anniversary (!) of the Beatles' U.S. invasion will bring waves of nostalgia. Too bad; they deserve better.

BY DEVIN MCKINNEY

SINCE DECLARING THEMSELVES defunct more than 30 years ago, the Beatles have alternately receded and loomed as figures of cultural authority and musical influence. While their spirit has hovered over and coursed through reinventors as diverse as David Bowie, Funkadelic, Elvis Costello, Prince and Kurt Cobain, there are other shifts of the pop paradigm to which they were never issued an invitation. (They're hard to find in hip-hop, unless we trace, as some have strained plausibility to do, a lineage from the word salad of "I Am the Walrus" to freestyle rap.) But the Beatles have never quite gone away—nor are they likely to,

since their continued popularity is due less to boomer nostalgia than to the band's timelessness.

Like friends, the Beatles are never far from a fan's thoughts; like family, they loom largest when an anniversary approaches, as it does now. Things are falling into place for their latest commercial resurgence. The Great Beatles Revival of 1976—compilation albums assembled, old singles set loose on the charts, magazine covers, a new subgeneration of fans hoovered into the happy fray—set the pattern for all subsequent bonanzas, including the 1995–96 release of the multimedia *Beatles Anthology* proj-

ect and 2000's mid-sized flurry attending the ascension of the *1* album to the top spot on the album charts of 29 nations.

Presently we are entering the run-up to the 40th anniversary of the band's arrival in America, which will fall on Feb. 7 of next year. No doubt in the months ahead there will be specials for TV and radio, cover stories and celebrity reminiscences. A spate of books is either here or on the way, including the updated third edition of Hunter Davies' 1968 authorized biography, a book of photos by early backstage chronicler Harry Benson, and a memoir of their first U.S. tour by disc jockey and fellow traveler Larry Kane.

But this winter's mini-mania will be kick-started by *Let It Be ... Naked*, set for release by EMI Records on Nov. 18 in the United States. The latest Beatle- or Beatle estate-sanctioned reissue is a revision of the band's final album—almost universally recalled as a weak and wavering kiss-off, a collection of minor rockers, modest ballads and incongruously fulsome orchestrations. These were tortured into form under the uncertain hand of "reproducer" Phil Spector, who was handed the tapes of the January 1969 recording sessions by an uninterested John Lennon and who promptly adorned several of the tracks with precisely the kinds of syrupy orchestrations that it had been the goal of the project to avoid in the first place. The Beatles.com Web site flacks the *Naked* package as "the no-frills, back-to-basics album that The Beatles first set out to make ... but which was never released as they intended, the band back to the bone." But there is less portent to this reissue than the title's ellipsis implies, and less exposed skin than the press release promises.

Though EMI has been parsimonious with prerelease copies, the *Naked* song

list, detailing changes to each track, has been posted on Beatle news sites; fans familiar (as I am) with both official and bootleg recordings of these songs can play the album in their heads, as most of the selections have appeared many times in illicit form. The “new” versions run from the subtly tweaked (slight edits to “Dig a Pony” have been restored) to the genuinely stripped (“The Long and Winding Road,” sans strings and chorale) to the freshly fused (“I’ve Got a Feeling,” welded from two separate outdoor performances). The previously absent “Don’t Let Me Down” now assumes a slot of honor, and “Across the Universe” holds its beauty despite being no longer sunbathed in Spector sound. The selections are solid, the running order cannily calibrated for highs and lows, hard and soft, beginning, middle and end. *Naked*, it would seem, works.

No one who loves the Beatles does not love their loveliness, joy and exploding laughter. But the sources of their appeal are much deeper and thornier than that.

But what does it work at? Not really that much. Where this low-key, bare-bones approach might have been tonic to the overloaded, sensation-clogged rock ear of 1969, today it is only a re-touched, reshuffled reissue of a badly botched bummer. It’s ironic that this album, the product of the Beatles’ lowest ebb and (almost) last days, should precede the anniversary of their international coming out as fresh, young rebels, absurdly randy pop idols—an irony that could well have been mined for the richness of its contradictions and conflicts, a juxtaposing of Beatle histories. Working against the teary smiles and sighing nostalgia that will attend the 40th-anniversary festivities, *Naked* could have shown us a darker, deeper picture of that same beginning now dissolving in the rancor and frustration of four men falling out of love amid the slow decaying of the world they’d made.

There is so much material to draw on. *Naked* derives almost totally from the January 1969 sessions for what was intended to be a comeback-concert rehearsal and return to roots but wound

up, for the Beatles, a workaday grind and joyless chore (not least because, having to adhere to a movie-industry schedule, they were under orders to report to the set early in the morning, a time of day they were well used to seeing from the other end). The sessions were taped and filmed from top to bottom, and as we watch the accompanying documentary or listen to the underground session tapes, the dearth of joy is oppressive. Paul is bossy, George bitchy. John—Yoko always at his side—is drugged by heroin and dragged by the abuse of a racist British public. Ringo, patient-souled and sleepy-eyed, is a sponge, silently absorbing the depression of the others.

But there’s more to it than that, enough to complicate the conventional picture: blazing rock numbers torn off in two minutes flat, a hundred forgotten oldies and ancestral B-sides busked be-

is. (Twenty minutes of rehearsal and dialogue excerpts are consigned to a companion disc, included less to flesh out posterity, I suspect, than to toss a bone at barking Beatlemania like me.) A darker, fuller revisioning of *Let It Be* could have served as a salutary balance to the wistful nostalgia trip that the 40th anniversary will inevitably amount to; against a rosy remembrance of beginnings and youth, it could have been the bracing chronicle of a historical ending.

This needn’t matter, of course, if to you the Beatles are one thing only: fab. Which they are; no one who loves the Beatles does not love their loveliness, their joy, their exploding laughter. Historically that is the side of them that has received the most attention, probably because it’s the most needless of inquiry and amenable to nostalgiafication. But the sources of their appeal are much deeper and thornier than that—what has allowed them to replenish their fan base at regular intervals is the certainty in every young listener that there is, and always will be, more to the Beatles than meets the eye. It is the promise of mystery and scintillating delights: sounds, pictures, words, ideas, layered pleasures beneath rapturous surfaces. The Beatles are simple enough for children, but as those children grow, the band becomes less and less simple.

Younger fans, who will carry Beatle fandom into the wilds of this century and prove it wasn’t just boomer hallucination, will need to discover the group’s multiplicity for themselves. And they will. But it will happen without the help of the Beatle organization’s increasingly conventionalized reissue catalog, which has been intent thus far on making the Beatles and the cultural history that revolves around them seem far less extreme, less mad and multidimensional than they were. The *Anthology* soundtracks were surprising and plentiful, but a few of the knottier, more avant-garde rarities were conspicuously absent (notably the 1967 sound collage “Carnival of Light”). In that and subsequent releases, the Beatle organization has been primarily concerned with polishing or patching existing works—sanding off the rough edges of the canon, burnishing the Beatle bronze. Like elder poets fiddling interminably with the syntax of

tween failed takes, priceless jokes and rich self-parodies shared in confidence as the Beatles delay the increasingly futile work of planning their return to the stage. There is the fascinating journey of “Get Back” from anti-racist satire (“No Pakistanis”) to the cool, spooky crypto-rocker it became. There is a jam, George missing and Yoko screaming, in which the Beatles’ sickness with themselves, one another and the fact of being Beatles comes out in a prolonged vomit of distorted sound. Throughout, there are passages of playfulness and humor and preternatural unity that any fan will prize, any admirer of music marvel upon. They provide ballast for Ringo’s insistence that “once the count-in happened, we turned back into those brothers and musicians.”

These sessions contain enough opposite intensities, enough fruitful tension emerging from the wasteful humbuggery, that any fan with a few bootlegs, minimal mixing technology and some imagination can construct an alternative that would expose *Naked* for the compromise of a compromise that it

earlier works, the remaining Beatles (Paul, mostly) and the packagers of their material toil to perfect the past rather than to split it open and risk complicating its future.

Rather than smoothing out Beatle history, *Naked* could have filled it with spikes—made a grousing, grieving, roaring, moving montage of the Beatles drifting apart and of one historical tide turning, even as the 40th-anniversary celebrations peddle boomer nostalgia for Ed Sullivan and shaggy wigs and a happy madness the world will never know

again. What is the joy worth without the sorrow to deepen it? With *Naked*, the Beatle organization had a chance to reconfigure a piece of received history into something that would both encompass that history and build significantly upon it, both for those who thought they knew the history and those who, as we speak, have not yet discovered it. ■

DEVIN MCKINNEY is the author of *Magic Circles: The Beatles in Dream and History*, just published by Harvard University Press.

Liberals have solutions. What they don't have is political power. Even under Clinton, as Miller notes in passing, federal outlays were cut from 22 percent of the gross domestic product to 20 percent. Federal revenue is now at its lowest share of national income since Dwight Eisenhower.

Scour the conservative think tanks and you will find no Matt Millers commending a grand bargain with liberals. You will find right-wing ideologues who are serious about winning. Bill Kristol, Karl Rove, and Grover Norquist did not prevail by disdaining a new right and commending a new center. Rather, the conservative strategy is simply to destroy liberalism and take no prisoners.

When the right splits the difference, as Bush pretended to do with the No Child Left Behind Act, and as the House leadership hopes to do with a Medicare drug benefit, it is simply this year's tactical feint. The grand bargains don't stick because the right feels free to walk away from deals. The Republicans mobilize their base and play hardball. (Franklin Roosevelt, incidentally, mobilized his base and played hardball, too.) The hard agenda of dismantling social investment is camouflaged with compassionate rhetoric, but the right is dead serious about its ultimate aims.

Miller isn't. He projects his own concern for the common good onto the Republicans. He can't quite seem to comprehend what the right is up to. Miller reports that his interviews "with conservative thinkers and activists left me stumped. Most of them insisted they were as concerned with equal opportunity and the problems of disadvantaged Americans as were Democrats, and resented the way their party was caricatured as heartless or indifferent." Miller offers several hypotheses to explain this apparent puzzle of seeming Republican indifference to social justice. In the end he concludes that the right is suffering from, of all things, "cognitive dissonance." Evidently they really do care about the poor; they just don't grasp that their program screws the poor.

Earth to Miller: Forget cognitive dissonance and remember Occam's razor. There is a much simpler and more plausible explanation: They really *don't* care about the poor. The right is absolutely

BOOKS

The 2-Percent Illusion

THE 2% SOLUTION: FIXING AMERICA'S PROBLEMS IN WAYS LIBERALS AND CONSERVATIVES CAN LOVE BY MATTHEW MILLER • PUBLIC AFFAIRS • 320 PAGES • \$26.00

BY ROBERT KUTTNER

MATTHEW MILLER IS A SERIOUS, WELL-read man of genuinely public-minded impulses. A veteran of Bill Clinton's budget office, he writes an often-liberal syndicated column and co-hosts a nationally syndicated public-radio program called "Left, Right & Center." Now he has written a book around the appealing idea that for just 2 percent of our national income (currently about \$220 billion), we can give everyone a living wage, good health insurance and decent schools, plus get big money out of politics.

Miller is scandalized that millions of American kids go to bad schools, that tens of millions of American families lack health insurance and that hard-working breadwinners earn poverty wages. To him it is just common sense that each side should give a little and embrace his intelligent ideas. He does deserve credit for calling for more public spending.

Miller calls this agenda "radical centrism." What stands in its way, he argues, is partisan deadlock, in which both parties are about equally to blame. "What American politics urgently needs," he writes, is "not a new left but a new center." Presumably illustrating the potential of his program to cut across old ideological divisions, the book jacket

carries blurbs by Paul Krugman and Barbara Ehrenreich, on the left, and by David Frum and David Brooks, on the right. So what could be wrong? Plenty.

Unfortunately, Miller's assessment of what ails our society is flawed by a bizarre conception of politics and wishful programmatic fixes. While preparing his book, he went around the country interviewing leaders of both parties and proffering his plans. He managed to convince himself that Democrats and Republicans alike would accept his grand compromise of "using conservative means to achieve liberal ends," if only old shibboleths and interest groups didn't stand in the way.

To read Miller, you'd think that American politics was deadlocked and that the blockage was roughly symmetrical. But that's hardly the real story of the era since Ronald Reagan. As we all know, the far right has won one victory after another, and even after the Clinton interlude, the center is much farther to the right than it was in 1980. The fact that 42 million people have no health insurance, that too many jobs pay poverty wages and that schools are failing is not the result of partisan deadlock but of conservative hegemony.

sincere in its loathing of government and its belief that, in George Gilder's immortal words, "The poor, most of all, need the spur of their own poverty." The right blends ideology with opportunism when it guts regulation and cuts taxes in order to deliver for its elite political base.

Miller's proposed use of the \$220 billion a year in federal revenue that his 2-percent solution would generate is almost as feeble as his political analysis. On health care, he would have government mandate and then subsidize what he calls a "Chevrolet" of an insurance policy—nothing fancy, just basic transport. Existing insurance companies would stay in the game. He seems oblivious to the fact that tens of millions of nominally insured people already have below-Chevrolet-quality coverage, with massive cost shifting from employers and health plans to individuals. He also neglects to address the massive regulatory challenges of assuring that such a system would not invite insurers to "cherry-pick."

Miller also ducks the biggest source of waste in the system: the huge administrative and marketing costs of private insurance. "Think of it as a jobs program," he urges liberals. On the living-wage challenge, Miller's solution is equally flip: Just have taxpayers subsidize low-wage employers. Unions and minimum-wage laws are old hat. The new idea is that if an employer can get someone to work for, say, \$6 an hour, the government should go far beyond the Earned Income Tax Credit and spend another \$35 billion a year making up the difference between what employers pay and what it takes to live.

For failing schools, Miller's panacea is a huge pay raise for teachers. Miller wants to link this reform to a lot of experimentation with vouchers and incentive-pay schemes. Unfortunately, it's becoming increasingly clear that the evidence showing dramatic gains from voucher schools is fraudulent or based on taking the easy cases. Teachers are surely underpaid, but if teacher pay is the silver bullet, let's do it within the public system.

Miller borrows Bruce Ackerman's proposal to give voters "Patriot Dollars"—vouchers to bestow on a favored candidate, to dilute the influence of big

money in politics. A good idea. He also favors repealing some tax preferences and a portion of the Bush tax cut. Also fine.

But it's a shame that someone as smart and decent as Miller thinks that liberal leadership means acquiescing to the right's salami tactics, and that he doesn't look more deeply into the ac-

tual politics or substance of policy. This brand of centrism is a recipe for continued shifts to the right. It's no surprise that Miller is emerging as the conservatives' favorite liberal. ■

ROBERT KUTTNER is a Prospect founder and co-editor.

BOOKS

The Unraveler

THE GREAT UNRAVELING: LOSING OUR WAY IN THE NEW CENTURY

BY PAUL KRUGMAN • W.W. NORTON & COMPANY • 462 PAGES • \$25.95

BY JEFF MADRICK

PAUL KRUGMAN, *THE NEW YORK TIMES* columnist and Princeton University economist, is not quite the liberal most of his enemies and many of his admirers believe he is. Some might prefer him, for example, to allow a bit more room for developing nations to protect infant industries. They might like to see him challenge the conventional wisdom that "old Europe" needs to roll back its labor and social-welfare laws in order to revitalize itself. They might want him to show more enthusiasm for public investment at home and to be more critical of the Washington Consensus that led to the deregulation of capital markets around the world.

But what Krugman does do more than compensates for what he does not do. He is quite simply the journalistic phenomenon of the last few years. I should qualify this statement: He is the positive journalistic phenomenon. There is a negative one of greater weight.

The media, led by television, have never been more irresponsible in the past 30 years of my experience than they have been since September 11. With only a few exceptions, the news media acted not as impartial reporters but as advocates for the Afghanistan and Iraq wars. The press sustained the myth that while George W. Bush may not be analytical or knowledgeable about history, his sincere and true-blue American instincts make him a great leader.

As for business journalists, they have been performing especially poorly for a

decade. In the early 1990s, they were enthusiastic boosters of the deregulation of Wall Street that led to corporate scandals; later, they gave credibility to speculative excesses and corporate bombast. Again, television, notably the cable news channels, led the way.

But then there was Krugman. No one tells it like it is as ably, intelligently and convincingly as he does in a time when too few tell it like it is at all. To his benefit, he has shorn some of the natural caution of his discipline. And he has shown an exceptional gift for fine writing, often clarifying a complex economic issue in only a single deft sentence.

This compilation of Krugman's *New York Times* columns, mixed with some earlier writings, gives us a perspective on the Krugman phenomenon. In his view, we are in the midst of a revolution of the right whose aims are to cut taxes no matter the economic validity, to reduce the size of government no matter the social price, to put religion back in Washington and in the schools, to undermine environmental progress, and to attack other nations preemptively regardless of international law and the dangers of unilateralism. The means to these ends, he argues, are lies.

Krugman's command of economics gives him the grit and credibility to take on the dragons. And so, of course, does the visibility and prestige of a place on the op-ed page of the *Times*. (I am a contributing economics columnist to the business section of the newspaper.)

A few issues stand out in Krugman's columns. He showed that, contrary to Bush's claims during his presidential campaign minimizing the cost of privatizing Social Security, the true cost would amount to a mere trillion dollars or so. He has been relentless in his criticism of the Bush tax cuts and of the administration economists who, he has concluded, have been willing to say just about anything to justify their policies.

For example, responding to criticism that the tax cut overwhelmingly benefits the rich, the Bush administration issued a less extreme estimate of how much of the tax cut would go to the very top. How did the administration do this? By simply leaving out the effects of the estate-tax repeal. "The strategy used to sell the Bush tax cut was

the fear generated by September 11 to pull the wool over the country's eyes. Here he stepped into the breach—the one left by most of the establishment media. When the media cowered, Krugman stood up straight and tall.

As he claims, he was not tied to the Washington "commentariat," who socialized with the powerful and had to maintain their ties. He was not encumbered by "he said—she said" journalism: On the contrary, he had scorn for it. The right was saying too many outrageous things, and the media were reporting them with credulity in order to give both sides of the story. In the introduction of this book, Krugman offers journalists a lecture on how to do their job.

Finally, what he doesn't say is that he was simply courageous. When criti-

Krugman stepped into the breach—the one left by most of the establishment media. When the media cowered, Krugman stood up straight and tall.

simply to deny the facts," Krugman wrote in 2002, "and to lash out at anyone who tried to point them out."

And who but Krugman could have both addressed the legend of Alan Greenspan and disposed of it? Krugman didn't do this alone, but he was early and tough. He pointed out, in his uncompromising style, how Greenspan had fueled stock-market speculation by talking up the new economy, providing early support for the Bush tax cut and later continuing to support the tax cuts even in the face of huge budget deficits. Krugman's point was that Greenspan was playing politics when he was supposed to be above the fray.

Among the pieces that impressed me most were Krugman's analyses of the California energy crisis. He saw quickly though the shenanigans being played by the energy companies under the guise of market deregulation. He was also tough on the corporate scandals. No mere handful of bad apples here, he insisted—this was a systemic matter.

But what truly earned Krugman his legions of supporters was not his economics but his willingness to say outright that the administration was using

cism of Bush policy was associated with near treason, Krugman was calling the administration out on its battle against terrorism, the Iraq War and a wide range of radical domestic policies.

The vision? It's a centrist one, fueled, however, by anger at the extreme policies of the Bush administration and its willingness to deceive. Krugman has taken on the battle of our time. He is right about the dangers of an administration that has raised dishonesty to dizzying heights. I would add "incompetence" to this administration's list of attributes.

The big battles may be ahead. The world is now a very dangerous place, and will probably become more so if Bush wins again in 2004. The American welfare state, already teetering, may be dealt critical blows by a second Bush administration. (Witness the current Medicare bill.) So Krugman may still have a lot to do. But if Bush loses, the talent—and courage—of Paul Krugman will be one of the main reasons. ■

JEFF MADRICK is editor of Challenge Magazine and contributing economics columnist to The New York Times. His recent book is *Why Economies Grow*.

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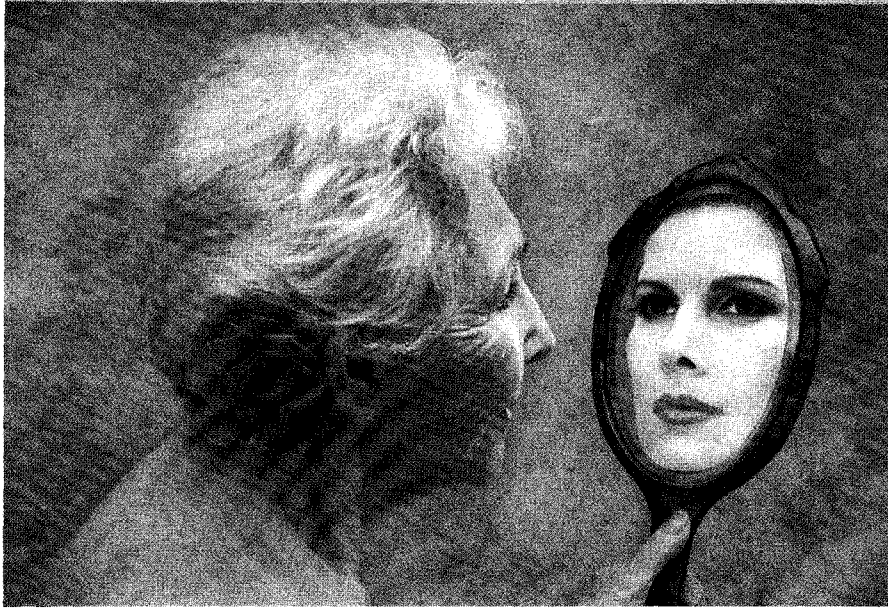
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BY BRIAN ALEXANDER • BASIC BOOKS • 289 PAGES • \$25.95

MERCHANTS OF IMMORTALITY: CHASING THE DREAM OF HUMAN LIFE EXTENSION BY STEPHEN S. HALL • HOUGHTON MIFFLIN • 439 PAGES • \$25.00

BY CARL ELLIOTT

TO SEE WHAT HAPPENS WHEN MARKET forces meet wishful thinking, just have a look at the history of anti-aging medicine. In the 1920s, an American doctor named John Romulus Brinkley began transplanting goat testicles into human recipients, at a fee of \$750 per patient, on the theory that male aging was caused by declining hormone production. In 1972, the Alcor Life Extension Foundation began advertising its services to customers who wished to have their heads suspended in liquid nitrogen when they died, in the hope that they would someday be resurrected. For centuries, Chinese doctors taught that aging could be postponed by the regular consumption of human urine—a remedy that, if not all that effective, at least had the virtue of being cheap. Until very recently, many mainstream biologists regarded the study of aging as a dismal backwater inhabited by fringe scientists and snake-oil salesmen.

Today, though, research on aging is

widely seen as a showpiece of modern scientific research. Molecular biologists are the stars of this show, and they are backed by a cast of thousands: venture capitalists, biotech entrepreneurs, adoring science journalists and moonstruck bioethics advisers—not to mention an enthusiastic chorus line of transhumanists, Extropians, cryonicists, Raelians and freelance cloners. Two fine new books chronicle the biotech boom, in all its market-fueled, ideologically driven fervor. Both Brian Alexander and Stephen S. Hall pay tribute to the genuine accomplishments of molecular biology while acknowledging how those accomplishments have been driven by the desperate enthusiasm of baby boomers whose reaction to the prospect of death and decline is, as Hall puts it, to launch a “class-action suit against the laws of nature.”

Many of today’s longevity enthusiasts will be familiar to fans of Ed Regis’ 1990 cult book, *Great Mambo Chicken and the Transhuman Condition*, whose

characters moved happily back and forth across the thin line between science and madness. But the *Mambo Chicken* story ended in the late 1980s. Alexander’s *Rapture* picks up where *Mambo Chicken* left off, and it proves a worthy successor. Alexander has the same gonzo style, the same wicked humor and, most of all, that *Mambo Chicken* sensibility—a combination of ironic detachment and sheer bafflement at the hubris of these over-the-edge scientists. We get a glimpse of this sensibility in Alexander’s first paragraph, which describes a well-known computer-science professor who also happens to be a cryonicist: “Ralph Merkle admitted that dunking your dead body into a tank filled with liquid nitrogen like a Krispy Kreme into a cup of Kona would have side effects. ... You could emerge from the deep freeze looking like more like a long-frozen rib eye than a sleek cryonaut resurrected from a time warp stasis.”

Yet it is a challenge to tell the full biotech story in the *Mambo Chicken* style. Regis had scientists building rockets in their garages, spinning chickens around in accelerators and trying to download the contents of human brains onto computer disks. Alexander has a rather less spectacular figure: William Haseltine, the Harvard biologist and CEO of Human Genome Sciences. Haseltine is sometimes described as a biotech bad boy, but he is too serious to play the comic role he has been assigned. So Alexander must fill out his book with the ideologues, motivational speakers and corporate opportunists who lurk around the fringes of life extension. Thus we meet figures like Raelian founder Claude Vorilhon, an amateur race-car driver who claims to have been told by space aliens that the risen Jesus was a clone, and John Sperling, the billionaire founder of the University of Phoenix and Genetic Savings and Clone, who donated generous sums to biologists at Texas A&M University on the condition that they clone his dog, Missy.

Hall’s *Merchants of Immortality* strikes a more measured tone. Hall is at least as concerned with merchants as he is with immortality; the key figures here are the biologists who have moved from pure academic research into the heady, market-driven world of corporate bio-

technology. One such figure is Leonard Hayflick, the iconoclastic biologist for whom the famous "Hayflick limit" is named. In the 1960s, Hayflick bucked scientific orthodoxy by showing that cells in a petri dish can replicate themselves only about 50 times. After that, the cells began to degenerate. Unable to replicate and repair themselves, the cells die. But where there are limits, there are also limits to overcome. Could overcoming the Hayflick limit be the key to overcoming aging, or even death? That is one of the questions posed by the biotech entrepreneurs who have poured billions of dollars into research on telomerase, embryonic stem cells and longevity genes.

What is most striking about *Merchants of Immortality* is just how gripping the story is. Hall spins a great old-fashioned yarn, filled with compelling characters and unexpected plot twists. He could hardly have picked a more dazzling protagonist than Michael West, the ex-creationist turned biologist and entrepreneur who founded Geron and later became CEO of Advanced Cell Technology. West, whose story is at the heart of the book, comes off as a strangely sympathetic figure—driven, charismatic, no great shakes as a scientist but a genius at seeing the commercial possibilities of emerging technologies.

Yet time and again there is a kind of sadness in Hall's voice as he explains how corporate interests have perverted the culture of science. The market has taken driven, highly competitive scientists in pursuit of knowledge and transformed them into driven, highly competitive scientists in pursuit of money. This transformation has not always been happy, or even entirely voluntary. Many university researchers working with materials derived from human embryos (such as embryonic stem cells) have been driven into the arms of biotech entrepreneurs by the lunacy of U.S. regulatory policy, which sidesteps controversial research merely by stipulating that no federal money will support it. This approach neither stops nor effectively regulates research on embryos but rather drives it into a free-for-all private sector, where it is funded by entrepreneurs and regulated by their handpicked bioethics advisers.

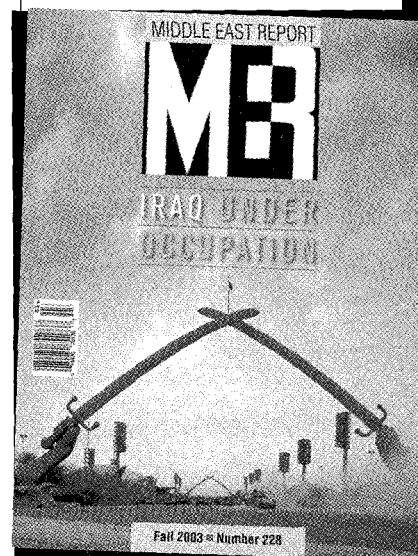
Central to this story is what Hall calls

the "Geron problem." Geron, the West Coast biotech company founded by West in 1992, quickly established a reputation not just for playing corporate hardball but for its willingness to zip a fastball at the head of anybody stepping to the plate. Geron took an unusually aggressive approach to its intellectual-property agreements. It insisted on commercial rights to any discoveries made with its material. It contracted the very best university researchers to work for it but constructed the projects so that the same researchers would be excluded from work leading to commercial applications. In one case, Geron tried to block a graduate student from including the sequence of telomerase in her dissertation on the grounds that it would interfere with its patent application. When press reports in 1999 suggested that Geron was funding attempts to clone a human embryo, the company's CEO, Thomas Okarma, said the reports were false—"Period. Full stop." Reporters for *The Wall Street Journal* later showed that Geron had been funding such attempts at the University of California, San Francisco—this from the company that pioneered the concept of the "Ethics Advisory Board."

Anyone worried about letting the market drive the ethics of human cloning, genetic enhancement or research on human embryos will find no comfort in these books. Hall offers little evidence that the teams of bioethicists contracted by Geron and Advanced Cell Technology played any meaningful role in shaping company policy. In one case, Hall calls the ethical review a "midwife to fundraising." As usual, West seems savvier on this point than the bioethicists he has hired. When questioned by Hall about those he had recruited for Advanced Cell Technology, West answered, "In the field of ethics, there are no ground rules, so it's just one ethicist's opinion versus another ethicist's opinion. ... You're not getting whether something is right or wrong, because it all depends on who you pick." ■

CARL ELLIOTT is a visiting associate professor at the Institute for Advanced Study in Princeton and the author of *Better Than Well: American Medicine Meets the American Dream*.

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The Religious Wars

BY ROBERT B. REICH

The outcome of the 2004 presidential election will depend partly on what happens in Iraq and to the U.S. economy between now and election day. But it will also turn on the religious wars—the intensifying battles over gay marriage, abortion, the use

of human embryos for stem-cell research and religion in our public schools—fueled by evangelical Protestants, the ground troops of the Republican Party. The conventional wisdom is that these issues are sure winners for the right. But Democrats can hold their own in these wars—if they respond vigorously to the coming assault.

Since the U.S. Supreme Court decision in *Lawrence v. Texas*, overturning Texas' anti-sodomy law, evangelicals have grown louder. When and if the Massachusetts Supreme Judicial Court declares that gay couples have a constitutional right to marry, evangelicals are ready to make it a major issue during the upcoming presidential campaign. Their recent legislative victory over "partial-birth" abortions has emboldened them to seek additional ways to erode *Roe v. Wade*. They're mounting an all-out offensive for Senate confirmation of people like Alabama's attorney general, William Pryor—who called *Roe* "the worst abomination of constitutional law in our history"—to the federal courts. And they want to put religion back into the public schools.

Democrats should call all this for what it is: a clear and present danger to religious liberty in America. For more than 300 years the liberal tradition has sought to free people from the tyranny of religious doctrines that would otherwise be imposed on them. Today's evangelical right detests that tradition and seeks nothing short of a state-sponsored religion. But maintaining the separation of church and state is a necessary precondition of liberty.

Public opinion sides with the Democrats. Even though a slim majority continues to oppose gay marriage, polls show that most Americans believe that homosexual relationships between consenting adults should be legal, that the choice of whether to have an abortion should be up to a woman and her doctor, that stem-cell research should be allowed and that religion should stay out of the public schools. But unless Democrats focus the public's attention on the larger ongoing assault on religious liberty, the evangelical right will whittle away these freedoms.

Gay marriage doesn't have to be a wedge issue for the

evangelicals—not if Democrats can put it where it belongs, as another front in the religious wars. The question of whether gay couples should be treated the same as married people need not and should not involve the religious meaning of "marriage." That's up to particular faiths and congregations to decide. The issue here is whether gays should have the same legal rights as heterosexuals—survivor's benefits under Social Security, alimony, the distribution of assets in divorce and other privileges.

Democrats should make clear that this is an issue about state power, not religion, and they should call for gay civil rights. Not "marriage" but "domestic partnership" or "civil union" or whatever words will convey the same legal rights accorded heterosexuals. Most Americans think that gays should have the same legal rights as everyone else.

The evangelicals' victory on partial-birth abortion proves only that gruesome pictures and inflamed comments can convince a majority that a particular procedure is inhumane. It has no bearing on the more basic question of whether the evangelical

view about when life begins should be imposed on the rest of America. Democrats should be clear that the issues of abortion and stem-cell research are about religious liberty.

Tar the Republicans and the evangelicals with Pryor and other nominees who want to overrule *Roe*. Show that the Senate Democrats' filibuster of these nominees is another front in the same religious war. Likewise, hold evangelicals accountable for what they're trying to do in our nation's schools—promoting the teaching of creationism, demanding school prayer and opposing sex education—which are all about imposing their religious views on our children.

The religious wars aren't pretty. Religious wars never are. But Democrats should mount a firm and clear counterattack. As election day approaches and Republicans are screaming about God and accusing the Democrats of siding with sexual deviants and baby killers, Democrats should remind Americans that however important religion is to our spiritual lives, there is no room for liberty in a theocracy. ■

Democrats must focus the public's attention on the ongoing assault on religious liberty.

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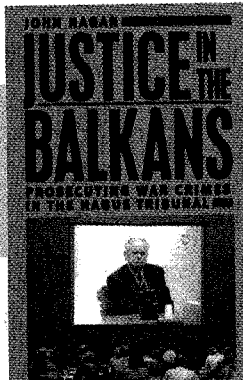
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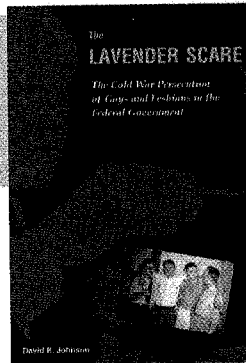


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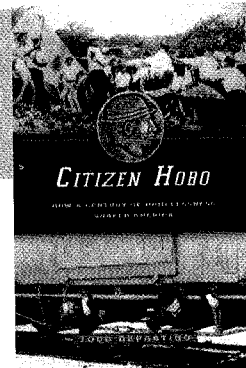


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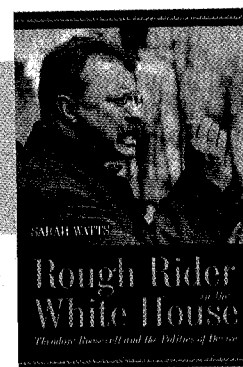


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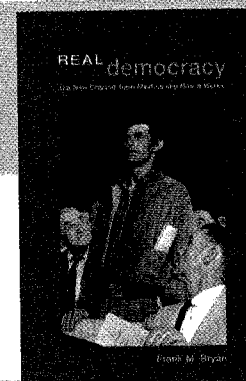


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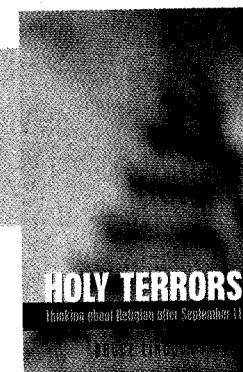


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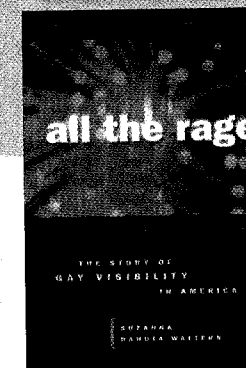


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